CRAWFORD COUNTY

APPEARANCE DOCKET

BOOK 228

1940

PIRRELLO ENTEPRISES INC.
Scanned August 2020

FEBRUARY TERM, 1940

William J. Sirdevan 1	Mary E. Cramm for Appointment of a Guardian For Sabina J. Cramm of the City of Titusville, as a person of weak mind. Entered Nov. 13, 1939 Pro. Blayton (paid) $ 5.00	Nov. 13, 1939. Petition presented in open Court and filed. "Cr" page 94. And now, Nov. 13, 1939, upon presentation and consideration of the foregoing petition, Dec. 4, 1939, at 1:30 o'clock P.M., is fixed for hearing this application, and it is further ordered that ten days written notice thereof be given to said heirs and next of kin, personally, by service upon them of a copy of this petition and order. Per Curiam, O. Clare Kent, P.J. (See petition)

Dec. 4, 1939: Proof of notice of service of petition and order fixing time of hearing on John Cramm and Anna Schreckengost, filed.

Dec. 4, 1939: Certificate of Dr. Hugh Jameson to effect that Sabina J. Cramm is not physically able to appear in Court, filed.

Decree: And now, December 4, 1939, the petition herein having come on for hearing and it appearing that more than ten days' notice of said hearing has been given personally to the heirs of said respondent, due proof of which is filed, and after said hearing the Court being satisfied that said Sabina Jane Cramm, the person against whom these proceedings are taken, is not able, owing to weakness of mind, to take care of her property, it is ordered and decreed that the said Sabina Jane Cramm is not able, owing to weakness of mind, to take care of her property and Court appoint Mrs. Anna Schreckengost Guardian to take care of the same. Bond required in the sum of $300.00 to be approved by the Court. Per Curiam.

Dec. 28, 1939: Bond of Mrs. Anna Schreckengost, Guardian with U.S. Fidelity and Guaranty Co. as Surety, in the sum of $300.00, approved by Hon. O. Clare Kent, P.J., and filed.

FEBRUARY TERM, 1940

Albert L. Thomas

2

In the Matter of
The First National
Bank of Saegertown,
Pennsylvania, now
in the hands of
Charles H. Leslie
Receiver.
Entered, Nov. 13, 1939

Pro. Slayton 12/20/39 Pd. $5.00
Pro. Slayton Served 1/10/40 Paid 2.50
Trib. Pub. Co. advt 12.13
Pro. S. final decree (pd 8/22/40) 2.50

Nov. 13, 1939, Petition of Receiver for "an order authorizing and permitting him to sell the securities listed in paragraph 3 of this petition for the highest and best prices obtainable on the date or dates of sale," presented in open Court and filed.

Order: And now, to wit, this 13th day of November, 1939, upon consideration of the foregoing petition, and upon motion of Albert L. Thomas, Attorney for Charles H. Leslie, Receiver of The First National Bank of Saegertown, Pennsylvania, It is Ordered, Adjudged and Decreed, that Charles H. Leslie, Receiver of The First National Bank of Saegertown, Pennsylvania, is hereby authorized and permitted to sell the following securities:-

$4,000 Ancaster Company 6½s of 36
2,000 Associated Electric Co. 4½s of 53
400 shs. American Utilities Service
2,400 General Public Utilities 6½s of 55
12 shs. Valspar Corp. pfd.
55 shs. Valspar Corp. com.

for the highest and best prices obtainable on the date or dates of sale.

Per Curiam,
O'Clare Kent, P.J.

(See paper filed)

June 21, 1940, Petition to amend order of Nov. 13, 1939, nunc pro tunc as of that date, filed, with this order:-

Order: Now, June 20, 1940, on presentation and consideration of the foregoing petition, it is ordered and decreed that the order entered November 13, 1939, be and the same is hereby amended nunc pro tunc as of November 13, 1939 to read as follows: "And now, to wit, this 13th day of November, 1939, upon consideration of the foregoing petition and upon motion of Albert L. Thomas, attorney for Charles H. Leslie, Receiver of the First National Bank of Saegertown, Pennsylvania, It is Hereby Ordered, Adjudged and Decreed that Charles H. Leslie, as Receiver of the First National Bank of Saegertown, Pennsylvania, is hereby authorized and permitted to sell the following securities: $4000 Ancaster Company 6½s of 36; 2000 Associated Electric Co. 4½s of 53; 400 shares American Utilities Service; 2400 General Public Utilities 6½s of 55; 12 shares of Velspar Corp. pfd.; 116 shares Velspar Corp. Com. for the highest and best price obtainable on the date or dates of sale."

Per Curiam,
O'Clare Kent, P.J.

Continued on page 646.

FEBRUARY TERM, 1940

Charles B. Stegner
3

Recd Masters Fee
75c 3/12/40
B.F. Krafft. Jr.

Feby. 15, 1940. Recd $35.00 costs
P.B.S.

3-21-40 Paid refund
in costs $1.90
check by atty.

Francis G. Keatley
vs.
Mary Ada Keatley
Issued Nov. 14, 1939

	#	¢
Tax & writ (paid)		3.00
~~Staff~~ Smith		
Benj. F. Krafft, Master		25.00
Pro. for Co. 2-15-40 Pd.		8.10
Atty.		3.00

Subpoena in Divorce

And now, November 13, 1939 Subpoena awarded, Returnable to the first Monday in January, 1940

Per Curiam,
O Clare Kent, P.J.

Jan. 2, 1940: Writ returned: "Served by handing a true and attested copy of the within writ, and making known the contents thereof, to Mary Ada Keatley at 328 Washington Ave., Oil City, Venango County, Pa., on the 4th day of December, A.D. 1939." So answers, Harold Roberts, Constable in and for Cranberry Township, Venango County, Pa. (See affidavit annexed).

And now, January 2nd, 1940, Benj. F. Krafft, Esq., is appointed Master as within moved. Per Curiam.

On Argt. List for Feb. Term, 1940 No. 34

March 8, 1940, After due consideration a divorce is decreed as prayed for.

Per Curiam,

Decree: And now, to-wit: March 8th, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Francis G. Keatley be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said Francis G. Keatley, the libellant, and the said Mary Ada Keatley, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

FEBRUARY TERM, 1940

4	In re Condemnation of lands of Arthur Hirschman and Margaret Hirschmann for improvement of a section of road, State Highway Route 20,003, through their land in North Shenango Township. Entered Nov. 14, 1939 Pro. Slayton 12/27/39 Paid $3.00	Agreement of Owners, dated Nov. 13, 1939, accepting the sum of $650.00, and releasing the Commonwealth and any agency or political subdivision thereof their employees or representatives from claim for damages for or on account of taking, injury or destruction of property through or by reason of the improvement of said road, State Highway State Highway Route 20,060, etc.

FEBRUARY TERM, 1940

Raymond C. Miller

5

F. Joseph Thomas
(See aff. of defense)

And now 12-19-39 plaintiff discontinues the above scire facias sur mortgage of record.

Raymond C. Miller
Attorney for plaintiff.

Addie Howe, assignee of Peter A. Eiler, who was assignee of Mary M. Schwab, who was assignee of Peter A. Eiler

vs.

Margaret Eiler, heir and devisee of Jacob J. Eiler, deceased mortgagor; Margaret Eiler and Harold E. Eiler, real owners.

Issued Nov. 14, 1939

	$
Tax writ (paid)	3.50
Recorder Smock	50
Shff. Smith (pd)	4.25
Pro. for Co. 12-19-39 Pd.	1.75
Atty.	3.00

Scire Facias sur Mortgage upon mortgage recorded in Mortgage Book No. 67, page 116. Returnable to the first Monday of December next.

Nov. 14, 1939 Statement of claim filed and copy certified.

Nov. 28, 1939 Plaintiff's additional Statement filed.

Dec. 11, 1939 Affidavit of defense filed. Service by copy accepted by Biff's Atty.

Writ returned. And now, Nov. 17, 1939, Service of the within Sci. Fa. sur Mortgage, together with copy of Statement of claim was made upon Margaret Eiler, heir and devisee of Jacob J. Eiler, deceased, mortgagor, and Margaret Eiler and Harold E. Eiler, real owners, by F. Joseph Thomas, Attorney, accepting service of same, as per his acceptance of service of same stated above. So answers

Harry B. Smith,
Sheriff.

FEBRUARY TERM, 1940

6

In re Appointment of a School Director for the School District of Conneaut Lake vice A. P. Weaver resigned and removed from District.
Entered Nov 15, 1939
r
Pro. Slayton 11/25/39 $3.00

Now, Nov 15, 1939 upon presentation and consideration of the within petition W. W. DeArment is appointed School Director in and for the School District of the Borough of Conneaut Lake, Crawford County, Penna. for the unexpired term of A. P. Weaver resigned.

Per Curiam,
(See paper filed) O. Clare Kent, P.J.
Certificates issued and mailed.

FEBRUARY TERM, 1940

Thomas & Kiebort

7

J. Lenny Eckels
12-1-39/Garn.

Jan 31-1941, Received $67.83 in payment of record costs and plaintiffs' bill of witness costs.
Thomas & Kiebort
by Kiebort

R. H. Sterling and Mignon Sterling, his wife, A. L. Sterling and Ida Sterling, his wife

vs.

Margaret W. Wilcox, Administratrix of the estate of George C. Wilcox, deceased.

Issued Nov. 15, 1939.

Tax & writ 12/30/39 Pd. $2.00
Shff. Smith (pd.) 2.90
Shff. Warren Co. (pd.) 4.80
Pro. Slayton for Co. 1-31-41 pd. 7.10
Jury-Jan 1-31-41, pd. 17.00
Atty 3.00
Copies 3.00

Summons in Trespass: Returnable to first Monday of December, 1939. Jan. 2, 1940: Writ returned with affidavit annexed wherein W. C. Stuart, Chief Deputy Sheriff to J. P. Berkins, High Sheriff of Warren County, Pa., deposes and states that he served the within Summons in Trespass on Margaret W. Wilcox, Administratrix of the Estate of George C. Wilcox, deceased, on Nov. 29, 1939, at 2:47 o'clock p. m., by handing a true and attested copy of this to her and making contents known to her at her place of residence in Farmington Township, Warren Co., Pa. (See affidavit filed). "Served the within Summons on Margaret W. Wilcox, Administratrix of the estate of George C. Wilcox, deceased, by deputizing the Sheriff of Warren County, Pa., as per his return hereto attached." No answers, Harry B. Smith, Sheriff.

Aug. 29, 1940. Statement of claim filed. Service accepted.

On Winter Trial List, 1941, No. 30.

And now, January 16, 1941.- a jury called and sworn as follows: 1- Mrs. Robert P. Boehm, 2- C. R. Bell, 3- Gladys Blystone, 4- Mrs. Mary Merchant, 5- Mrs. Helen Reitze, 6- Mrs. Clyde Maynard, 7- P. Johnson, 8- Mrs. Pearl McDaniel, 9- Mrs. Flossie Hollabaugh, 10- Mrs. Anna Corliss, 11- Adam Poe, 12- Mrs. Lena Holcomb: twelve good and lawful persons, who upon their solemn oaths, which they have taken, say, same day, they find, by agreement, in favor of the plaintiffs and against the defendant, and award plaintiffs the following amounts: To R. H. Sterling, $2400.00; To Mignon Sterling, $875.00; To A. L. Sterling, $500.00; To Ida Sterling, $225.00. Wi. page 158.

And now, Jan. 31, 1941, the jury fees having been paid, judgment is entered on the verdicts.
Debt $6,000.00
Int. from Jan. 16, 1941.
Judgment
Paul D. Slayton,
Prothy.

Jan 31, 1941. Received satisfaction in full of the above judgments, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Thomas & Kiebort
attys for Plffs.

FEBRUARY TERM, 1940

8	The Union Coal & Supply Company vs. Cleon C. Shreve Entered Nov. 16, 1939 Pro. Slayton (paid) $2.25	Of No. 218 September Term, 1934, 2813 Amicable Scire Facias sur Judgment It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned. And that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Seventy-six and 39/100 Dollars, being the amount of debt, interest to Oct. 8, 1939, and costs now due on the original judgment: With all the waivers and conditions contained in the original judgment note. (Signed) Cleon C. Shreve Debt $76.39 Interest from Oct. 8, 1939 Sh. page 85. Judgment Paul D. Slayton, Pro.

FEBRUARY TERM, 1940

J. Perry Eckels

9

Montgomery, Ward & Co.

vs

Nevin E. Vincamp

Issued Nov. 16, 1939

Tax writ (paid)		3.00
Shff Smith (paid)		5.90
Pro. Slayton	paid 9-23-40	1.00
atty.		3.00

Replevin for one 9x15 rug, one chair one range, one refrigerator, one three piece bedroom suite, one mattress, one plat spring, one two piece living room suite, and one bedroom suite, of the value of $298.38. Returnable to the first Monday of December next.

Nov. 16, 1939, Affidavit of value and declaration filed.

Nov. 16 1939 Bond of plaintiff with United States Fidelity and Guaranty Company as surety, in the Sum of $596.76, approved and filed.

Writ returned: Replevied as within commanded, Nov. 30, 1939, at 6:25 o'clock P.M., all of the within described goods and chattels, and summoned Nevin E. Vincamp, the within named defendant, by handing to him personally in West Mead Township, Crawford County, Pa., on Nov. 30, 1939, at 6:25 o'clock P.M., a true and attested copy of the within Replevin, together with copy of Declaration, and making contents of same known to him. Settlement made to attorney, J. Perry Eckels on Dec 4, 1939.

So answers Harry B. Smith, Sheriff.

And now Sept. 23. 1940. This case settled and discontinued & ended. All costs paid.

J. Perry Eckels
Attorney for Plaintiff.

FEBRUARY TERM, 1940

Thomas & Kiebart F. Joseph Thomas Nov 11 1940 Rec'd costs due F. Joseph Thomas. F. J Thomas Receipt from Prothonotary Nov. 13-1940 6.20 costs in act. entered S. G. MacDanaghan	Levi A. Mott vs. Aloysious A. Schwab Entered Nov. 17, 1939 for Tax Certificate (paid) $1.50 Costs on Praecipe (paid by Pltf) 8.20 Pros. for Co. 11-11-40. Pd. 3.10 Atty. 3.00	Appeal by Deft from Judgment of S. G. MacDanaghan, Alderman Nov. 22, 1939 Acceptance of Service of notice of filing appeal filed. April 5, 1940, Statement of claim filed. Service by copy accepted. On Fall Trial List, 1940, No. 27. And now Nov 11, 1940 this case is settled, ended, and discontinued. Thomas & Kiebart Attys for Plff

FEBRUARY TERM, 1940

George X. Simonetta	Carmen Della-Medaglia, a minor, by his mother and father and next friends Gaetano Della-Medaglia and Mariana Della-Medaglia, and Gaetano Della-Medaglia and Mariana Della-Medaglia, parents of Carmen Della Medaglia, in their own right,	Summons in Trespass; Returnable to first Monday in December, 1939. Now, Nov. 17, 1939 Kenneth W. Rice, Esq., appears for the defendant, waives the issuance of the Summons, and accepts service of the writ, with the same force and effect as though the Summons had been duly and regularly issued, and service thereof duly made by the Sheriff of County upon the said defendant. (See praecipe)
Kenneth W. Rice	vs. Charles Michel	
	Entered Nov. 17, 1939	
	Tax & entry (11/18/39 paid) $2.00	

FEBRUARY TERM, 1940

George J. Barco
F. C. Kiebort, Jr.
12
Dan'y Encl
attest: Jury/11-24-39

Dr. J. A. Mancuso
vs.
West Ridge Transportation Co.
Issued Nov. 18, 1939

Tax Writ (paid 12/16/39) $ 2.00
Stff. Smith (paid) 3.20
Pro. S. for Co. 5/24/41. Pd. 7.75
Jury-fee 6/15/40. Pd. 4.00
Atty 3.00
Pro. S. since 5/24/41 Pd. 3.25
Pffs. Bill of Costs 18.00
41.20

Summons in Trespass
Returnable to first Monday in December, 1939.
Nov. 24, 1939, Statement of claim filed. Service accepted by Dft's Atty.
On Spring Trial List, 1940, No. 40
On June Trial List.
Writ returned: Served the West Ridge Transportation Company, a corporation, by handing personally to November 22, 1939, at 11:30 o'clock A.M., a true and attested copy of the within Summons to K. Billings, the Dist. Supt. of said deft. company, at No. 159, Chestnut Street, City of Meadville, Crawford County, Pa., and making contents of same known to him
So answers Harry B. Smith, Sheriff.
June 13, 1940, Amendment to Statement of claim approved by the Court and filed.
And now, June 13, 1940, Jury selected, called and sworn as follows: 1- Lloyde L. Frambaugh, 2- Wm. Kiskadden, 3- Earl Snodgrass, 4- Mrs. Grace Nottingham, 5- Dorothy Leighty, 6- John Hamilton, 7- Gail Bidwell, 8- Gardner Williams, 9- Mrs. Mildred Phelps, 10 Warren A. Tubbs, 11- Ronald Fisher, 12- Margaret Holzer: twelve good and lawful persons, who upon their solemn oaths which they have taken, say June 14, 1940, they find for the plaintiff in the sum of Four hundred fifty-four and 65/100 Dollars. Corp. page 48.
June 14, 1940, Motion on part of defendant for a new trial filed, and a rule to show cause granted; returnable sec. reg.
(See paper filed) Per Curiam.
On Argt. List for Sept. Term, 1940, No. 18.
Sept. 24, 1940 Continued by agreement of counsel.
On Argt. List for Nov. Term, 1940, No. 2. Nov. 11, 1940, Argued.
April 29, 1941, defendant's motion for the granting of a new trial is dismissed, the rule to show cause granted thereon is discharged, and a new trial refused. Exception is noted for the defendant.
(See opinion filed) Per Curiam.
And now, April 29, 1941, the jury fee having been paid and the rule for new trial having been dismissed, judgment is hereby entered on the verdict.

Debt $ 454.65
Interest from June 14, 1940.
Judgment
Paul D. Slayton,
Prothonotary.

Corp.-pp-48.

Now, May 23, 1941 the above case is settled and discontinued.
George J. Barco
F. C. Kiebort Jr.

May 23, 1941, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
George J. Barco
F. C. Kiebort, Jr.

J. E. Bossard
13

C. A. Stone
vs.
Agnes Spencer
Issued Nov. 18, 1939
-
Tax & writ (paid) 3.00
Shff. Smith (paid) 3.60

Replevin for one Maytag Washing Machine, Model No. 10, Serial No. 33953-N, of the value of twenty-five ($25.00 dollars; Returnable to the first Monday of December, 1939

Nov. 18, 1939 Affidavit of value filed.

Nov. 18, 1939 Bond of Plff. with Mrs. Loretta Gill as surety, in the sum of $50.00, approved and filed.

Writ returned: Replevied as within commanded, Dec. 1, 1939, all of the within described goods and chattels, and summoned Agnes Spencer, the within named deft., by handing to her personally at No. 875 Grove St., City of Meadville, Crawford County, Pa., Dec. 1, 1939, a true and attested copy of the within writ, and making contents of same known to her

And on March 6, 1940, writ was directed to be returned by J. E. Bossard, Atty for plaintiff.

So answers Harry B. Smith, Sheriff.

FEBRUARY TERM, 1940

L. N. Dilley, Greenville Pa.

14

5/13/42. $3.00 docket fee paid to Mr. Dilley by check #1121.

Jamestown Banking Co., Robert B. Porter and John R. Fry, assignees
vs.
B. D. Floch
Entered Nov. 20, 1939

Pros. Slayton (paid) 2.25
Atty 3.00

Of No. 19 February Term, 1935
Amicable Scire Facias sur Judgment

It is agreed that an amicable action of Scire Facias to revive and continue the lien of the above judgment be entered, with the same effect as if a writ of Scire Facias had been regularly issued, served personally on defendant and so returned, and that a judgment be entered thereon against the defendant and in favor of the plaintiffs above named for the sum of One thousand one hundred eighty-one and 16/100 Dollars, plus attorneys commission, with costs.

Debt $1181.16
Atty's commission 5% $59.06
Total $1240.22

Int. from Nov. 18, 1939

F page 48 Judgment

Paul D. Slayton, P.D.

✓ May 13, 1942, This judgment satisfied. (See paper filed.)

J. Perry Eckels
15

May 6, 1940. Recd $35.00 costs.
P.D.S.

May 22, 1940, Recd $95 on account Masters fee,-
M. B. Maloney

Joseph Zieger
vs.
Elizabeth Zieger
Issued Nov. 20, 1939

Tax on writ	12/23/39 Pd.	$ 3.00
Shff. Smith (pd.)		1.60
Shff. Smith, Alias (pd.)		1.60
Shff. Smith, proc. (pd.)		11.15
M. B. Maloney, Master		25.00
Pro. for Co. 5/6/40. Pd.		10.00
Atty.		3.00

Subpoena in Divorce

And now, November 20, 1939, the within petition presented in open court, and Subpoena awarded, returnable to the first Monday of January, 1940.

Per Curiam,
O. Clare Kent, P.J.

And now, Jan. 1, 1940, writ returned: Non est inventus as to the within named respondent. So answers, Harry B. Smith, Shff.

Jan. 2, 1940: Alias Subpoena in divorce issued returnable first Monday of February next.

Feb. 5, 1940: Alias Subpoena returned: "Non est inventus as to the within named respondent" So answers, Harry B. Smith, Sheriff.

Feb. 5, 1940: Order for proclamation issued returnable to the first Monday of April next.

And now, April 1, 1940, --- I have made proclamation in the above entitled case and caused the same to be published in the Enterprise-News, Bambridge Springs, Pa., a newspaper printed within my bailiwick, once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached. So answers Harry B. Smith, Sheriff.

And now, May 6, 1940, M. B. Maloney, Esq., is appointed Master to take testimony in the above entitled case and to report thereon to the Court.

(See paper filed) C

Per Curiam.

May 22, 1940. Testimony and Report of Master filed.
On Argument List for May Term, 1940, No. 34.

Now June 14, 1940 after due consideration a divorce is decreed as prayed for.

Per Curiam.

Decree: And now, to-wit: June 14, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Joseph Zieger be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him the said Joseph Zieger, the libellant, and the said Elizabeth Zieger, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Walter J. McClintock 16	Petition of County Commissioners of Crawford County for approval of private sale of a lot in the Borough of Spring to Albro Packing Company. Said lot was assessed in the name of Thornton Brothers Co., and sold to said County Comrs at Treasurers Sale for taxes on first Monday of August 1934 Entered Nov. 20, 1939 Pro. Blayston 12/27/39 Paid 5.00	Preliminary Order. Now, November 20, 1939, upon presentation and consideration of the within petition the Court fixes the first Monday of December, 1939, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford Per Curiam (See petition) O. Clare Kent, P.J. December 4, 1939: Proof of Publications in accordance with above Preliminary Order, filed. (See papers filed). Order: And now, December 4, 1939, at 9:30 O'clock A.M., the time fixed for a hearing on the above petitions, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The Albro Packing Co. of Springboro, Penna., a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam.

Kent & Kent 7/9/41
John Schuler

17

21-59 Paid The Meadville Tribune 100 ads. costs by Check #414. C.P.S.

-30-51 Paid The Tribune Publishing Co. $11.00 ads. costs by Check #3782. P.D.S.

osts continued):
acct. & Costs 12/27/51 Paid $3.50
acct. & costs 7/27/59 Paid 03.50

Petition of Thelma Rebort for appointment of a Guardian for Barbara Rebort of the City of Meadville, as a person of weak mind.

Entered Nov. 27, 1939

Pro. Slayton 12/29/39 Pd	$	5.00
Pro. to date 8-7-41 Pd.		3.00
Pro. to date 12-30-43 Pd		2.50
Pro. pet. of 3-20-51 Paid		3.00
Pro. a/c 7-30-51 Paid		21.00
Pro. a/c 5-9-55 Paid		10.00

Nov. 27, 1939, Petition presented in open Court and filed. "K" page 103

And now, November 2, 1939 on consideration of the foregoing petition, it is ordered and decreed that a hearing on the foregoing application be had in the Court Room of Crawford County, on Tuesday, the 2d day of January, 1940, at 9:30 o'clock A.M., and that ten days notice thereof be given to Barbara Rebort, the alleged weak minded person, Mary Brandt, a daughter, Henry M. and Arthur A Reitze, brothers.

Per Curiam,
(See petition) O. Clare Kent, P.J.

Jan. 2, 1940, Affidavits of service of notice of hearing upon respondent and next of kin, filed.

Jan. 2, 1940, Statement of Dr. Robert H Israel, Supt. of Warren State Hospital as to inability of respondent to be present, filed.

Decree: And now, January 2, 1940, after hearing, the Court being satisfied that the said Barbara Rebort, the person against whom the above proceedings are taken, is not able owing to weakness of mind, to take care of her property, it is ordered and decreed that the said Barbara Riebort is not able owing to weakness of mind, to take care of her property, and the Court does appoint Donald F. Reitze Guardian, to take care of the same, said Guardian to give bond in the sum of Nine thousand three hundred Dollars ($9,300.00).

Per Curiam,
(See paper filed) P. O. Clare Kent, P.J.

Jany. 15, 1940, Bond of Donald F. Reitze Guardian, with Henry M. Reitze and Conrad J. Kohler as sureties, in the sum of $9,300.00, approved by the Court, and filed.

July 7, 1941, Petition of Thelma Rebort for appointment of a Guardian vice Donald F. Reitze, deceased, presented in open Court and filed.

And now, July 7, 1941, upon presentation of the within petition and after due consideration thereof, and it appearing that all parties in interest have been notified of the petitioners intention to present said petition, and it further appearing that Donald F. Reitze who was appointed guardian for said Barbara Riebort on Jan. 2, 1940, is now deceased, - Wesley G Reitze is hereby appointed guardian to care for the estate of the said Barbara Riebort; first to give bond in the amount of $9400.00, or $6000.00, if a surety bond.

(See paper filed.) Per Curiam

July 26, 1941, Bond of Wesley G. Reitze, Guardian, with U.S. Fidelity and Guaranty Co. as surety, in the sum of $6000, approved by Hon. O. Clare Kent, P.J. and filed.

Continued on page 22.

18

In the Matter of the Selection of Persons to Serve as Jurors for the year 1940
Entered Nov. 27, 1939
Pro Clayton 12/07/39 Paid $3.00

Order of Court

And now, to wit, November 25, 1939, it is ordered that when the President Judge and the Jury Commissioners meet at the Court House in the City of Meadville, Pa., at least thirty (30) days before the first term of the Court of Common Pleas in the year 1940 for the purpose of filling the jury wheel for the ensuing year, they shall select from the qualifying electors of said county and put in said jury-wheel in the manner provided by law the names of five hundred eighty-six (586) sober, intelligent and judicious persons to serve as jurors in the several courts of said county, there to remain until duly drawn for service, according to law. This number together with the names still remaining in said jury wheel to make a total of seven hundred (700) persons for jury service during the year 1940.

Per Curiam,
O. Clare Kent,
President Judge.

(See paper filed)

Nov. 27, 1939, Copies of Order issued to George J. Slattery and N. B. Graham, Jury Commissioners and John A Bozic, Clerk.

Feb 3, 1940, List of names of persons placed in the Jury-Wheel, pursuant to above order of Court, filed

Kenneth W Rice

19

Paul E Thomas

Alfred Natzke, a minor, by Alfred G. Natzke, his Guardian, and Alfred G. Natzke in his own right,

vs.

R. C. Straw.

Entered Nov 28, 1939

Tax & entry (attyfd) 2.00

Pro. S. 12-11-39 Pd. 1.00

Summons in Trespass; Returnable to first Monday of January, 1940.

And now, the 28th day of November, 1939, I hereby enter my appearance for the within defendant, and accept service of Summons as fully and effectually, as if the same had been duly and regularly issued and served by the Sheriff personally.

(Signed) Paul E. Thomas.

(See praecipe.)

December 4, 1939: Petition for payment of claim and settlement of action filed. (See papers filed).

Order: And now, to wit, December 4, 1939, upon presentation of the foregoing petition, leave is hereby granted to settle and compromise the above action upon payment unto the minor, Alfred Natzke, of the sum of two hundred twenty-five ($225.00) dollars, and upon payment thereof unto the said minor or his attorney of record, the said action shall be marked settled and discontinued of record.

Per Curiam.

And Now Dec. 11, 1939 payment of $225.00 having been made to Alfred Natzke and payment of 125.00 having been made to Alfred G. Natzke the within case is compromised + settled + discontinued per agreement + I hereby direct the Prothonotary to mark the same settled + discontinued of record.

Kenneth W Rice Attorney for Plaintiffs.

FEBRUARY TERM, 1940

Stuart A. Culbertson 20	Mary Hadden vs. Hugh Hadden Issued Nov. 28, 1939 $ ✓ Tax & writ 12-8-39 3.00 Shff. Smith (paid) 3.20	Subpoena in Divorce And now, November 28, 1939, the within petition presented in open Court and Subpoena awarded, returnable to the first Monday of January 1940 Per Curiam (Sgd) O. Clare Kent, P.J. Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 30th day of November, 1939 by delivering to him a true and attested copy of the same and making known to him the contents thereof, as appears from affidavit as above. So answers Harry B. Smith, Sheriff

J. E. Bonavel, Atty for Plaintiffs.
Dec. 17th 1941.
P.D.S.
21

George B. Shafer and D. P. Shafer, Executors of David Shafer, deceased,
vs.
Frank A. Smock
Entered Nov. 29, 1939
#—
Pro. Slayton (paid) 2.25

Of No. 35 February Term, 1935, Appl. Doc.
Amicable Scr. Fa. sur Judgment.
It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiffs and against the defendant, for the sum of Three hundred seventy-six and 64/100 Dollars, being the amount of debt, interest to February 1, 1939, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $376.64
Int. from Feb. 1, 1939
Judgment
Paul D. Slayton, Pro.

Jm. page 119

Fi. Fa. No. 23 Feby. Term, 1942,
Nov. Dec 31-1941 this Judgment satisfied (see Fi. Fa. filed)

22

Venire for the First and Second Mondays of January 1940
Issued Dec. 1, 1939
Pro. Slayton 12/27/39 Paid 2.50

Venire for 70 qualified persons to be Traverse Jurors for the Court of Common Pleas to be held the weeks beginning with the First and Second Mondays of January, 1940.
Dec. 11, 1939 Venire returned with panel of Jurors, drawn and summoned, attached.

Kent & Kent for Reitze, Adm. J. Joseph Thomas for Bertha A. Reitze Petitioner, 8/17/43

No. 17 February Term, 1940 Continued from page 17

In re Estate of Barbara Kebort, a person of weak mind

Aug. 17, 1943, Petition of Bertha A. Reitze, admx. of estate of Daniel F. Reitze, decd (former Guardian of Barbara Kebort), for discharge of said decedent's estate and admx. from all further liability and obligation arising out of the guardianship of said Daniel F. Reitze for Barbara Kiebort, presented and filed, having annexed thereto the receipt of Wesley G. Reitze, present guardian of Bertha Kebort, for the assets of estate, listed at length in detail.

Order: And now, to wit, this 17th day of August, 1943, upon presentation of the foregoing petition and consideration thereof, it is hereby ordered and decreed that Bertha A. Reitze, Administratrix of the estate of Donald F. Reitze, and the estate of Donald F. Reitze, are discharged from any and all further liability by reason of the said Donald F. Reitze being Guardian of Barbara Kebort, and the sureties of the said Donald F. Reitze, as said Guardian are discharged from any and all further obligation by reason of the bond filed by said Guardian. It is further ordered and decreed that the said Bertha A. Reitze is discharged from any and all further duties in connection with the said Guardianship. Per Curiam,

(See paper filed.) O. Clare Kent, President Judge.

March 20, 1951, Petition to Sell Property filed: Decree:- Now, March 20th 1951, upon consideration of the foregoing petition and on motion of John J. Kent, attorney for the guardian herein, it appearing that the only person in interest is Barbara Kebort, a weak minded person whose guardian makes this petition, and it appearing to the Court that it is to the best interests and advantage of the said Barbara Kebort that this sale and conveyance be made, and that it can be made without injury or prejudice to any trust or charity and without the violation of any law which may confer an immunity or exemption from the sale or alienation and that the price therefor be a fair price for the same and more than could be obtained at a public sale, it is ordered and decreed hereby that Wesley G. Reitze, guardian of Barbara Kebort, an alleged weak minded person, join with the other owners and execute a good and sufficient deed in fee simple unto the Meadville-Chestnut Street Corporation for all that certain piece or parcel of land situate in the First Ward of the City of Meadville, Crawford County, Pennsylvania, bounded and described as follows: Beginning at the point of intersection of the northeast corner of Chestnut Street and Market Street; thence in an eastern direction along the north line of Chestnut Street forty-two (42) feet, more or less, to the westerly line of land of A. J. Eldred et ux; thence in a northern direction in a line running parallel with the east line of Market Street and along the westerly line of land of said Eldred one hundred (100) feet, more or less, to a point in the south line of Market Alley; thence westerly along the south line of said alley forty-two (42) feet, more or less, to the east line of Market Street; thence southerly along the east line of Market Street one hundred (100) feet, more or less, to the point or place of beginning; with a two-story brick business block erected thereon now commonly known as 239-241 Chestnut Street and also commonly known as the "Reitze Block", for the sum of Ninety-eight Thousand Dollars ($98,000.00) to be paid in cash.

Security to be entered by the said Wesley G. Reitze in the sum of $17,000.00 to be approved by the Court.

Per Curiam, Herbert A. Mook, P.J.

- Continued on Page 620 -

— Continued on Margin —

John A. Boland

23

Petition of A. Lincoln Thompson for Satisfaction of Mortgage given by John Scott, dated June 20, 1855, and recorded in Mortgage Book "H" page 204. Entered Dec 4, 1939

Pro. Slayton 12/7/39 Rd. 5.00
Shff. Smith (paid) 5.25

Dec 4, 1939 Petition presented in open Court and filed.

Now, December 4, 1939 upon presentation of within petition in open Court, and after consideration thereof, it is ordered and directed that the Sheriff of this county, give notice thereof to all such parties in the county whose residences in the county are known, by copy served personally, or left at their place of abode, at least twenty days before return day or date set for hearing, and to all parties out of the county, if any, and to all unknown parties, if any, by public notice published in the Cambridge Springs Enterprise-News, once a week for four successive weeks, prior to the return day or time set for appearance in this matter, requiring any parties in interest to appear in this Court on Monday, the 5th day of February, 1940, at 9:30 o'clock A.M., and make claim to payment for or on account of said mortgage. Return day and time for hearing in this matter is set for Monday, February 5, 1940, at 9:30 A.M.

Per Curiam
O. Clare Kent, P.J.

(See petition filed).

Dec 4, 1939 Order reciting petition, issued to Sheriff.

Feb. 5, 1940: Sheriff's Return: "I, Harry B. Smith, Sheriff, do hereby certify and make return that after diligent search and inquiry I was unable to find the within named Mary Scott, her heirs or assigns or any person interested in said mortgage in my bailiwick and that in obedience to an Order of Court to me directed, a public notice of the facts set forth in the Petition, filed in said case, was published in the Enterprise-News, Cambridge Springs, Pa., a newspaper of general circulation in the County of Crawford, once a week for four weeks successively, to-wit, on December 7-14-21 and 28, 1939, the said publication being after the presentation of said Petition to Court, as will appear by the proof of publication hereto attached." So ans., Harry B. Smith, Sheff.

Order and Decree: Now, February 5, 1940, at ten o'clock A.M. upon motion of J. A. Boland, Attorney for petitioner, A. Lincoln Thompson of Venango Township, Crawford County, Penna., present owner of the property encumbered by said mortgage, and it appearing of record that notice and advertisement has been given and made by the Sheriff in accordance with Order of Court entered in this case, and it further appearing that no person has appeared or made claim to payment for or on on account of said mortgage; Now, therefore, it is ordered and decreed that the Recorder of Deeds of Crawford County, Pa., be and is hereby authorized and directed upon payment to him

(Continued on margin).

(Continued from bottom)
of his proper costs, to enter satisfaction on the records of certain mortgage given by John Scott to Mary Scott on the 20th day of June, 1855, and recorded in the Recorder's Office of this County in Mortgage Book "H" at page 204, as an encumbrance on ninety-five acres of land in Venango Township, Crawford County, Pennsylvania, as fully described in said mortgage; and it is further decreed that entry of satisfaction as aforesaid, shall forever discharge, defeat and release the said mortgage, according to the provisions of the Act of Assembly in such case made and provided.

Per Curiam.

FEBRUARY TERM, 1940

Charles B. Stegner

2st

The Co-operative Grange Milling Company
vs.
Robert L. Johnson
Issued Dec. 4, 1939

Pro. Slayton 12/21/39 Paid $2.25
Stuff Smith
Prs. Slayton (Jud. Docket) 2.25
Atty 3.00
Plff. on original, 4.00

Of No 169 November Term, 1934 D.S.B.
Scire Facias to revive and continue the lien of the above judgment; Returnable to first Monday of January next.

J. page 59.

Dec. 12, 1939, Waiver of service by Sheriff and confession of judgment filed; to wit:-

"It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Fifty-four and 80/100 Dollars, being the amount of debt, interest to December 1, 1934, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Dated, December 8, 1939. Signed by both parties.

Debt $54.80
Interest from Dec. 1, 1934
Judgment
Paul D. Slayton, Pro

J. page 59

April 11, 1945, For Satisfaction of this Judgment see No. 169 Nov. Term, 1934

FEBRUARY TERM, 1940

Charles B Stegner 25	The Co-operative Grange Milling Company vs. A. N. Bruce Entered Dec 5, 1939 Prc. Clayton (paid) $ 2.25 Atty 3.00 Original costs: Atty CBS 5.75	Of No. 170 November Term, 1934 D.S.B. Amicable Scire Facias sur Judgment It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned: and that a judgment be entered thereon in favor the plaintiff and against the defendant for the sum of Five hundred eighty-six and 34/100 Dollars, being the amount of debt, interest to Dec. 1, 1934, and costs now due on the original judgment with all the waivers and conditions contained in the original judgment note. $ Debt 586.34 Int. from Dec. 1, 1934. "Bx." p. 93. Judgment Paul D. Clayton, Prc.

Stuart A. Culbertson
26
Thomas Kuhn et
12-28-39. P. D. S.
Kent + Kent, for additional defendant Paul J. Hamilton.

F. J. Hamilton
vs.
Carl Nodler
Paul J. Hamilton, add'l Deft
Issued Dec. 6, 1939

Tax & writ	12/18/39	$2.00
Shff. Smith (paid)		3.20
Pro. Sy not order of 2/19/40 (paid 2/16/40)		2.00
Shff. Smith Ret. of 2/19, 3.90		

Summons in Trespass, Returnable to first Monday of January, 1940.

Jan. 24, 1940, Statement of claim filed. Service of copy accepted.

Feb. 19, 1940, Affidavit of defense filed. Service accepted.

Feb. 19, 1940, Petition of Deft. to join Paul J. Hamilton as additional deft., presented in open Court and filed. Commonwealth of Pennsylvania, Now, this 19th day of February, 1940, the petition of Carl Nodler to join Paul J. Hamilton as an additional defendant in the above entitled action, is granted, and Paul J. Hamilton is hereby joined as an additional defendant.

Now, therefore, we command you, the Sheriff of the County of Crawford, to direct Paul J. Hamilton, of East Mead Township, Crawford County, Pennsylvania, to file an answer in the office of the Prothonotary of the Court of Common Pleas of Crawford County, in the above entitled action, within twenty days after service upon him of a copy of this petition and order and copies of all pleadings heretofore filed therein, if service was made within your county, or within thirty days of service, if service within any other county of this Commonwealth.

By the Court,
O. Clare Kent P.J.

(See paper filed)

Same day, certified copy of order issued to Sheriff.

March 11, 1940, Answer of Paul J. Hamilton, additional defendant to petition of Carl Nodler, original defendant, filed.

On Spring Trial List, 1940, No. 6.

Writ (Summons) returned: Served the within Summons personally on Carl Nodler on Dec. 16, 1939, at 12:10 o'clock P.M. at No. 29 Chestnut Street, City of Meadville, Crawford County, Pa., by handing to him a true and attested copy of the within summons, and making contents of same known to him.

So answers Harry B. Smith, Sheriff.

Aug. 6, 1940, Shff's return of service of copy of petition and order of Feb. 19, 1940, upon Paul J. Hamilton, add'l deft., filed.

On Fall Trial List, 1940, No. 18.

Oct. 14, 1940, Continued by agreement of counsel. Per Cur.

Argd now November 25th 1940
Very discretion thus Jane J. Jeeps
Culbertson
Atty for P. Hff.

FEBRUARY TERM, 1940

Kenneth W. Rice 27	John O. Karnis vs John A. Riley Issued Dec. 6, 1939 $ - Tax & writ paid 2.00 Shff. Smith Cpd 4.70	Summons in Trespass Returnable to First Monday of January next Writ returned: Served the within summons personally on John A. Riley by serving Mrs. Irene Riley, she being an adult member of the family, namely, his sister-in-law, on Dec 7, 1939, at 10:55 A.M. at his residence in Greenwood Township, Crawford County, Pa., by handing to her a true and attested copy of the within summons and making contents of same known to her. So answers Harry B. Smith, Sheriff.

Thomas & Kiebort

28

Peters & Prather
for E Grant Reichel, exr
etc, garnishee 12/30/39. P.D.$.

J. Joseph Thomas,
Receiver of First National
Bank of Saegertown, Pa,
now use of Charles A.
Leslie, Receiver,

vs.

E.G. Reichel, Deft,
and E. Grant Reichel,
Executor of the last
will of S. W. Reichel,
deceased, Garnishee
Issued, Dec 7, 1939

Tax & writ 12/20/39 Paid #1
Stiff Smith (paid) 2.75
5.50

Of No 206 February Term, 1935. Apft. Doc
Attachment Execution;
Returnable to first Monday of
January, 1940.

Writ returned: Attached as within commanded the goods, chattels, moneys and credits and effects of the defendant, E.G. Reichel, in the hands of E. Grant Reichel, Executor of the last will of S. W. Reichel, dec'd, Garnishee, on the 29th day of Dec, 1939, at 1:50 o'clock P.M., and declared in the presence of credible witness of the neighborhood, that the said goods, moneys, estate and effects were attached as the goods and effects of the defendant in the hands of the said Garnishee, and at the same time summoned the said E. Grant Reichel, Executor of the last will of S. W. Reichel, deceased, at his residence in the Borough of Saegertown, Crawford County, Pa., as garnishee, by handing a true and attested copy of the within writ to him personally, and on Dec 29, 1939, at 1:50 o'clock P.M. served the within writ, on the defendant, E.G. Reichel, by handing a true and attested copy thereof to him at his residence in the Borough of Saegertown, Crawford County, Pa., and making contents of same known to him.

So answers Bert A. King, Deputy Sheriff
Harry B. Smith, Sheriff.

FEBRUARY TERM, 1940

Stuart A. Culbertson

29

Robert F. Kent, 4/15/40

March 8, 1940: Received $33.10 costs, P.D.D.

May 4 1940 Received $25.00 Master's fee. J. Perry Eckels

Had never been married. It is further ordered and decreed that the custody of minor child, Paul Roger Litwiler, is awarded to the libellant, Pauline W. Litwiler. Per Curiam.

Pauline W. Litwiler by her mother and next friend Maria Dolan vs. Paul R. Litwiler

Issued Dec 7, 1939

Tax & writ (paid)	$ 3.00
Shff. Smith (paid)	3.20
J. Perry Eckels, Master	25.00
Pro. for Co. 3/11/40 Pd.	8.10
Atty.	3.00

Subpoena in Divorce and for the custody of minor child, Paul Roger Litwiler

And now, December 7, 1939 Subpoena awarded; returnable to the first Monday of February, 1940.

Per Curiam

O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the respondent personally, on the 12th day of Dec. 1939, by delivering to him a true and attested copy of the same and making known to him the contents thereof, as appears from affidavit as above

So answers Harry B. Smith, Sheriff

And now, March 11, 1940, J. Perry Eckels, Esq., is hereby appointed Master to take testimony in above entitled case and make report to the court.

Per Curiam.

April 15, 1940 Robert F. Kent, Esq. appears for respondent (See paper filed)

Same day, Acceptance of service by respondents counsel of notice of hearing before Master, filed.

Same day, Leave granted to amend record so that the name of the libellant shall appear: Pauline W. Litwiler, by her mother and next friend, Maria Dolan, instead of Pauline W. Litwiler (libellant being a minor), (See paper filed)

Per Curiam.

May 2, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 35.

Now June 14, 1940 after due consideration a divorce is decreed as prayed for, the respondent, Paul R. Litwiler, is ordered to pay the cost of this proceeding and the custody of minor child, Paul Roger Litwiler, is awarded to the libellant, Pauline W. Litwiler. Per Curiam,

Decree: And now, June 14, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Pauline W. Litwiler be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Pauline W. Litwiler, the libellant, and the said Paul R. Litwiler, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine, and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they

(Continued on margin)

Walter H. Scott, Esqr. Pa.
1/29/40. P.D.S. Pro.

30

Arden D. Mook & Herbert A. Mook for Rule

Sara L. Hipple, by F. W. Moore, Attorney in Fact,

vs.

Albert E. Fueri.

Entered Dec. 9, 1939

Tax	Entry 12/12/39 paid	$ 1.
		3.50
Atty		3.00
Pro. Slayton	Atty pd. 7/27/40 Filed	2.50
Pro. on discontinuance	paid 8/6/40	1.00

Amicable Action of Ejectment for all that certain piece or parcel of land situate in the Township of Bloomfield, known as the Morton farm at Kings Corners

Dec. 9, 1939, Amicable Action in Ejectment and confession of judgment with Articles of Agreement and affidavit of defense, ment annexed, filed.

It is agreed that the above amicable action in ejectment and confession of judgment thereon be entered as if a summons in ejectment had been issued by the plaintiff against the defendant, for said land, as if said summons in ejectment had been duly served and so returned by the Sheriff. And by virtue of the warrant of attorney contained in said Articles of Agreement Walter H. Scott, Esq., as attorney for said Albert E. Fueri, confesses judgment in ejectment for the said premises, in favor of said Sarah L. Hipple, by F. W. Moore, Attorney in Fact, waiving all stay and exemption laws, and without asking leave of court.

Judgment

F. page 96. Paul D. Slayton, Prothy.

Hab. Fac. Poss. with clause of Fi. Fa for costs, to No. 23 Feb. Term, 1940

Aug. 6, 1940: This case discontinued. (See Hab. Fac. Poss. filed)

Jan 29, 1940, Motion to strike off judgment presented to Hon. O'Clare Kent, P.J. and filed.

Now, January 29, 1940, upon presentation of the foregoing motion of Albert E Fueri by his attorneys, Arden D Mook and Herbert A Mook, the Court grants a rule upon the plaintiff to show cause why the judgment should not be stricken off. All proceedings to be stayed in the meantime.

Per Curiam,
O'Clare Kent, P.J.

(See paper filed)

Feb. 26, 1940, Motion to amend record by completing the jurat of the affidavit attached to the confession of judgt, filed.

And now, Feb. 26, 1940, a rule to show cause why the amendment should not be allowed is hereby granted, returnable see rg.

Per Curiam.

On Argument List for May Term, 1940, No. 14.

May 28, 1940 Argued.

Now, June 29, 1940 the rule to show cause why judgment should not be stricken off is discharged. Exception is noted and sealed for defendant.

Per Curiam,
O'Clare Kent, P.J.

(See opinion filed)

Now, June 29, 1940, the rule to amend is made absolute and the amendment is allowed. Exception is noted for defendant.

Per Curiam,
O'Clare Kent, P.J.

(See opinion of Court filed)

(Continued on margin)

FEBRUARY TERM, 1940

Stuart A. Culbertson 31 Paul E. Thomas for Garnishees.	C. E. Terrill vs. Audley D. Stevens, Deft. and Donald Tyler and Farm Bu- reau Insurance Com- pany, a corporation Garnishees. Issued Dec. 11, 1939 $ - Tax & writ (paid) 3.00 Steff Smith (paid) 12.10	Of No. 298 November Term, 1939, D.B. Attachment Execution, returnable to First Monday of February next. To attach all and singular the goods and chattels, rights and credits, moneys and properties of the defendant whose hands the same may be, especially in the hands of Donald Tyler, and Farm Bureau Insurance Company, a corporation, and to summon them as garnishees, or which may be re- covered from the said Donald Tyler and Farm Bureau Insurance Company, a corporation by Audley D. Stevens, in a suit now at issue against said Donald Tyler.

And now, Feb. 29, 1940, Paul E. Thomas, Esq., appears for Donald Tyler and Farm Bureau Insurance Co., the Garnishees (See paper filed)

Writ returned: Attached as within commanded, the goods, chattels, moneys and credits and effects of the deft., Audley D. Stevens, in the hands of Donald Tyler and Farm Bureau Insurance Co., a corporation Garnishees, on the 13th day of Dec. 1939, at 2:35 o'clock P. M., served Donald Tyler, and on Dec. 16, 1939, at 11:40 o'clock A. M. served Farm Bureau Insurance Co., a corporation, and declared in the presence of credible witnesses of the neighborhood that the said goods, moneys, estate and effects were attached as the goods and effects of the defendant in the hands of the said Garnishees, and at the same time summoned the said Donald Tyler and Farm Bureau Insurance Co., a corporation as Garnishees, by handing a true and attested copy of the within writ to Donald Tyler, at the Farmers National Bank, Conneautville, Pa., and also served the Farm Bureau Insurance Company, a corporation, by serving Edward Hovis, agent for said Farm Bureau Insurance Co. by serving Leona Hovis, she being an adult member of the family, namely, his wife at their home on Adams Street, in the Borough of Conneautville, Crawford County, Pa., on Dec. 13, 1939, at 3:00 P. M., served the within writ on Audley D. Stevens, defendant, by handing a true and attested copy thereof to him at the Conneautville Garage, Conneautville, Pa., and making contents of same known to him.

So answers Harry B. Smith, Sheriff.

Stuart A. Culbertson

32

J. Gerry Eckels. Aug. 12/40

(See Petition of Aug. 12/40)

May 7, 1940. Recd. $35.00 costs.
C.D.S.

May 25, 1940 Recd. of Paul S. Clayton, Master's fee — $25.00
Fario J. Thomas, Master

liberty to marry again in like manner as if they had never been married.

Per Curiam.

And now, August 12, 1940, upon presentation of petition of respondent, a rule is granted upon the libellant to show cause, if any he has, why the decree of divorce granted June 18 1940, should not be set aside. Returnable sec. reg.

Per Curiam,

(See petition filed) O. Clare Kent, P.J.

Aug. 12, 1940. Service of copy of petition and rule accepted by Atty for libellant

Cont'd on next page

Leon Homer Pringle

vs.

Leda Elizabeth Pringle

Issued Dec. 12, 1939.

Tax writ (paid)	3.00
Shff. Smith, paid	1.60
Shff. Smith alias (paid)	1.60
Shff. Smith, proc. (pd.)	11.15
Fario J. Thomas, Master	25.00
Prothonotary Co. 5/7/40. Pd.	10.00
Atty.	3.00
Prothy Clayton since 5/4/43 Paid	8.50

Subpoena in Divorce

And now, December 12, 1939, Subpoena awarded, returnable to the first Monday of February, 1940.

Per Curiam,
O. Clare Kent, P.J.

And now, Feb. 5, 1940, writ returned: Non est inventus as to the within-named respondent. So answers, H. B. Smith, Shff.

Feb. 5, 1940: Alias Subpoena in Divorce issued returnable first Monday of April, 1940.

Alias Subpoena retd. April 1, 1940. Non est inventus as to the within named respondent.

So answers Harry B. Smith, Sheriff

April 2, 1940. Order issued for publication of Sheriff's proclamation in divorce, returnable to first Monday of May next.

May 6, 1940: Return of Proclamation: "And now, May 6, 1940, I, Harry B. Smith, Sheriff of Crawford County, do hereby certify and make return that I have made proclamation in the above-entitled case according to law and caused the same to be published in the Enterprise News, Cambridge Springs, Pa., a newspaper printed within my bailiwick once a week for three successive weeks prior to return day thereof as per copy of said proclamation and proof of publication hereto attached."

So answers, Harry B. Smith, Sheriff.

And now, May 6, 1940, Fario J. Thomas, Esq., is hereby appointed Master to take testimony in the above-entitled case and make report to the Court. Per Curiam.

May 24, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 61.

Now June 18, 1940 after due consideration a divorce is decreed as prayed for.

Per Curiam.

Decree: And now, to-wit: June 18, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered, adjudged and decreed that the said Leon Homer Pringle be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said Leon Homer Pringle, the libellant, and the said Leda Elizabeth Pringle the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine and the said libellant and respondent shall severally be at

FEBRUARY TERM, 1940

Charles B. Stegner

33

675

The Community Loan Co., to the use of Co-operative Grange Milling Company
vs
Vern Covell
Entered Dec. 12, 1939

	$ ¢
Pro. Slayton (paid)	2.25
Atty	3.00
Atty on Orig'l	4.00

Of No. 198 November Term, 1934
Amicable Scire Facias sur Judgment
It is agreed that the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned, and that a judgment be entered thereon, in favor of the plaintiff and against the defendant, for the sum of Thirty-seven and 88/100 Dollars, being the amount of debt, interest to and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.
Dated Dec. 11, 1939. (Signed by both parties)

Debt $37.88
Int. from
Judgment
Paul D. Slayton

Co. page 70.

No. 32 Feb. Term, 1940, Record continued from preceding page.
And now, August 20, 1940, upon consideration of the application made by the said Leon Homer Pringle for an order for security for costs, a rule to show cause is granted, all proceedings stayed until said rule is disposed of.
Per Curiam,
O. Clare Kent, P.J.
(See paper filed) Service accepted
On Arg't List for Sept Term, 1940 No. 11. Sept. 24, 1940. Argued.
Oct. 31, 1940, Opinion of Court filed, our rule to enter security for costs,
Now, Oct. 31, 1940, plaintiffs petition is dismissed and the rule to show cause granted thereon is discharged.
(See opinion) Per Curiam.
On Arg't List for Sept. Term, 1941, No. 8. Sept. 22, 1941, Continued on application of libellant Per Curiam
On Arg't List for Nov. Term, 1940, No. 5. Nov. 24, 1941, Continued.
On Arg't List for Feb. Term, 1942, No. 7.
Feby 24, 1942, after due consideration, the rule to set aside decree of divorce entered August 12, 1940, is made absolute, and the decree is set aside.
Per Curiam,
O. Clare Kent, P.J.
May 4, 1943. Stipulation of counsel and order of Court reinstating divorce decree, filed.
And now, May 4, 1943 upon motion of Stuart A. Culbertson, attorney for libellant and upon filing the above stipulation of

— Contd on Margin —

of counsel, leave is granted respondent to withdraw her petition filed August 2, 1940, and the order thereon made February 4, 1942, is vacated, and the Decree of Divorce entered June 18, 1940, is reinstated.
Per Curiam,
O. Clare Kent, P.J.
See order attached to the stipulation of Counsel filed May 4, 1943)

Charles B. Stegner

34

2-6-42 Paid 3.00 on dock fee chas B. Stegner

Titusville Trust Company
vs
V. Palmquist
& L. Palmquist
& John W. Palmquist
Entered Dec 12, 1939

Prg Slayton (paid) $ 2.25
Atty 3.00
Original costs:
Atty C.B.S. 2.25
3.00

Of No. 68 February Term 1935
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned, and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of Eight hundred nine and 28/100 Dollars being the amount of debt, interest to December 14, 1939 and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $809.28
Interest from Dec 14, 1939
Judgment.
Paul D. Slayton, Pro

"P." pages 69, 141 + 163

✓ Feby. 3, 1942, This judgment satisfied. (See paper filed.)

FEBRUARY TERM, 1940

Charles B. Stegner 35	Titusville Trust Company vs E. J. Edwards Entered Dec. 12, 1939 $ - Pro. Slayton (paid) 2.25 Atty 3.00 Original costs: $ Plff 2.25 Atty C.B.S. 3.00	Of No. 69 February Term, 1935. Amicable Scire Facias sur judgment It is agreed, That the Prothonotary of said court enter an amicable Scire facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Six Hundred and 90/100 Dollars, being the amount of debt, interest to December 14, 1939, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment-note. Debt $600.00 Interest from Dec. 14, 1939. E page 17. Judgment Paul D. Slayton, Pro. Dec. 14, 1944, Amr. Sci. Fa. to No. 90 Feby. Term, 1945.

Thomas & Kiebort 36	Arthur B. Leray vs. Kern A. Drake, Deft. and J. C. Allee Executor of the last will of J. A. Logan deceased, Garnishee Issued Dec. 14, 1939 $ c Tax & writ 12-26-39 2.75 Shff. Smith (paid) 6.30	Of No. 306 November Term, 1939 Attachment Execution, Returnable to first Monday of January, 1940. Writ returned. Attached as within commanded, the goods, chattels, moneys and credits and effects of the deft. Kern A. Drake, in the hands of J. C. Allee, Executor of the last will of J. A. Logan deceased, Garnishee, on the 16th day of Dec. 1939, at 2:25 o'clock P.M., and declared in the presence of credible witnesses of the neighborhood that the said goods, moneys, estate and effects were attached as the goods and effects of the defendant in the hands of the said garnishee; and at the same time summoned the said J. C. Allee, Executor of the last will of J. A. Logan, decd, as Garnishee, by handing a true and attested copy of the within writ to him personally, at the Springs-First National Bank in the Borough of Cambridge Springs, Crawford County, Pa., and making contents of same known to him. Nihil habet as to Kern A. Drake, deft. So answers Harry B. Smith, Sheriff.

FEBRUARY TERM, 1940

J. Joseph Thomas	Richard Huff by his father and Guardian C. J. Huff, vs. Mary Merchant Issued Dec. 14, 1939 $. Taf & writ (Atty Fee) 2.00 Shff. Smith paid 7.10	Summons in Trespass; Returnable to first Monday of January, 1940. Dec. 14, 1939, Statement of Claim filed and copy certified. Dec. 18, 1939. Affidavit of defense filed. Service accepted. Feb. 7, 1940: Writ returned: "Served the within Summons, together with Copy of Statement of Claim, personally, on Mary Merchant, at her residence in Athens Township, Crawford County, Pa., on December 16, 1939, at 1:45 O'clock P.M., by handing to her a true and attested copy of the within Summons, together with Copy of Statement of Claim and making contents of same known to her." No answer, Harry B. Smith, Sheriff.
37 Stuart A. Culbertson (See aff. of defense)		

On Spring Trial List, 1940, No. 59
On Fall Trial List, 1940, No. 13.
Oct. 14, 1940, Continued by agreement of counsel. Per Cur.
On Spring Trial List, 1941, No. 31,
March 3, 1941, Continued by agreement of counsel. Per Curiam.
On Fall Trial List, 1941, No. 41.
Oct. 9, 1941, Continued by agreement of counsel. Per Curiam.

FEBRUARY TERM, 1940

Kent & Kent
Stuart A Culbertson
for Guardian

38

Petition of John F. Reynolds for the appointment of a Guardian for Inez A Hall, of the City of Meadville, as a person of weak mind.
Entered Dec 15, 1939

Pro Blayton (Atty fee)	$5,00
Shff Smith (paid)	3,20
Pro. S. 2-20-40 Pd	3.00
Pet. to sell R. E. 7/6/40. Pd.	2.50
Pet. to sell R. E. 1-13-42. Pd.	2.50
Pet. for Rule. 2-21-42. Pd.	2.50

Costs continued:

Pro. S. 3-17-42. Pd.	$1.00
Pro. cert. copies 11-19-42. Pd.	2.50
Pro. 1st acct. 4-19-43 Pd.	4.50
Tribune 1st acct. Pd. by check #1361.	5.50
Pro. final acct. 7-26-44 Pd.	11.50
Tribune final acct. Paid Check #1699	5.50

Dec. 15, 1939, Petition presented to Hon. O. Clare Kent, P.J. and filed. Ra. page 144.

And now, December 15, 1939, upon presentation of the within petition and after due consideration thereof, Tuesday, January 2, 1940, at 9:30 o'clock A.M., is fixed for the hearing of this application, and it is directed ten days written notice thereof be given to the said Inez A. Hall and to the other members of her family residing within the jurisdiction of the court, by service of a copy of the petition and order on each of them.

Per Curiam,
O. Clare Kent, P.J.

(See petition)

Return: Served the within Petition and Order of Court on Inez A. Hall, at the City Hospital, Room 312, Liberty Street, City of Meadville, Crawford County, Pa., on Dec. 20, 1939, at 11:30 o'clock A.M., by handing to her a true copy of the within Petition and Order of Court, and making contents of same known to her.

So answers Harry B. Smith, Sheriff.

Decree: And now, January 2, 1940, this case came on for hearing, and after hearing the evidence, it is ordered, adjudged and decreed, that Inez A. Hall is so mentally defective as to be unable to take care of her property, and in consequence thereof, is liable to dissipate or lose the same and to become the victim of designing persons; and the Crawford County Trust Company, of Meadville, Pa., is hereby appointed Guardian of her estate. Bond required in the sum of $35,000.00, to be approved by the Court.

Per Curiam,
O. Clare Kent P.J.

(See paper filed)

Janу 5, 1940, Bond of Crawford County Trust Company Guardian, in the sum of $35,000.00, approved by the Court and filed.

3eby. 8, 1940. Inventory and appraisement filed showing assets of estate in the amount of $30,467.62.

Feb 15, 1940 Petition of Guardian for leave to pay claims and maintenance of ward, filed, with this

Order: And now, Feb 12, 1940, upon presentation of the foregoing petition and after due consideration thereof, the Crawford County Trust Company Guardian of the estate of Inez A. Hall, a person adjudged to be of weak mind, is hereby authorized and ordered to pay

continued on page 651

R.B. Mahany
39

The City of Titusville
vs.
Robert A. Daub,
owner or reputed owner
Issued Dec. 16, 1939

Tax & writ	$2.75
Pffs. on lien	1.50
Shff. Smith (paid)	8.70

Of No. 5 February Term, 1935, C.D. Doc.
Scire Facias sur Municipal Lien,
filed Dec. 19, 1934, and entered in
City Lien Doc. No. 12, page 238,
Returnable within three months
from date of issuance.
Brook Street sewer lien.
D. page 98.
Dec. 16, 1938, Affidavit of City Treasurer
filed.
"Writ returned: Served the within Scire
Facias sur Municipal Lien personally
on Arthur D. Daub, Terre Tenant, on
March 8, 1940, at 2:20 o'clock P.M., at No. 520 Brook Street, City
of Titusville, Crawford County, Pa., by handing to him a
true and attested copy thereof and making contents of
same known to him. Nihil habet as to Robert A. Daub,
owner or reputed owner. So answers Harry B. Smith, Sheriff.
"D" page 133.

R. B. Mahaney 40	The City of Titusville vs. Mrs. Dora Howard, Owner or reputed owner Issued Dec 16, 1939 Tax & writ $2.75 Plff. on lien 1.50 Pro Slayton 1.50 Atty 3.00	Of No. 7 February Term, 1935, C.D. Doc Scire Facias sur Municipal Lien, filed Dec 19, 1934, and entered in City Lien Doc. No. 12, page 240; Returnable within three months from date of issuance. Brook Street sewer lien. ~~Dec 16,~~ No. page 75 Dec. 16, 1939, Affidavit of City Treasurer filed. March 7, 1940. Acceptance of service of Sci. Fa. and confession of judg- ment by Deft. filed; to wit:-

"And now, February 19, 1940, the above named defendant in person hereby accepts service of the said writ of Scire Facias issued in this cause with the same effect as if duly served therewith by the Sheriff of the said county; and the said defendant hereby appears in said Court in said cause and agrees that judgment be entered by the Prothonotary of said Court in favor of said plaintiff and against said defendant on the said Scire Facias and the municipal claim therein described for the sum of Twenty-seven and 37/100 dollars ($27.37), (being the amount of the claim in said matter remaining unpaid with interest accrued thereon) together with interest on said judgment from the first day of August 1934, and together with costs of this action, and with release of all errors in all matters and proceedings; and said judgment is hereby confessed and directed to be entered by said defendant."

(See paper filed) (Signed) Dora B. Howard.

Debt $27.37

Interest from Aug. 1, 1934.

No. page 75. Judgment March 7, 1940.

Paul D. Slayton, Pro.

Mar. 24, 1944, This lien satisfied. (See C. L. D.)

FEBRUARY TERM, 1940

R.B. Mahaney
41

The City of Titusville
vs.
Clara M. MacKenzie
otherwise known as
Clara M. McKenzie,
owner or reputed owner
Issued Dec. 16, 1939

Pro. Clayton	$2.25
Original costs:	
Plff.	4.25
Atty Vanum	3.00

Of No. 14 May Term, 1935 Apps. Doc
Scire Facias to revive judgment
entered upon the amicable Scire Facias
sur Municipal Lien entered at the
above number and term on Feb. 18, 1935
East Blosst St. sewer lien.
Mc page 87; M. page 150
Dec. 16, 1939 Affidavit of City Treasurer
filed.

FEBRUARY TERM, 1940

Thomas & Kiebort	Hjalmar Fogelberg and The Home Insurance Company a Corporation	Summons in Trespass; Returnable to first Monday of January, 1940 Writ returned: Served the within summons personally on Louis Severo, by serving Elizabeth Severo, she being an adult member of the family, namely, his sister, at their residence No. 157 Poplar Street, City of Meadville, Crawford County, Pa., on Dec. 29, 1939, at 3:30 o'clock P.M., by handing to her a true and attested copy of the within summons and making contents of same known to her So answers Bert A. King, Deputy Sheff Harry B. Smith, Sheriff
42 George J. Simonetta 1/3/40 P.D.S. Pro	Louis Severo Issued Dec 18, 1939 Tax & writ 12/20/39 $2.00 Sheff. Smith (pd) 3.50	

R B Mahaney
43

The City of Titusville
vs.
C. W. Fay, owner
or reputed owner
Entered Dec. 19, 1939

	#
Tax & entry	2.75
Atty	3.00
Plff. on Original	1.50

Of No. 10 February Term, 1935, Jas. L. Doc.
Amicable Scire Facias and Confession of judgment sur Lien for City Taxes for the years 1932 & 1933 filed Dec. 31, 1934, and entered in Tax Doc. No. 2, page 97.

It is agreed that the Prothonotary enter ah Amicable Scire Facias upon the above mentioned Tax Lien, with the same effect as if a Scire Facias in due and legal form had been duly issued by the Prothonotary, and duly and legally served and returned by the Sheriff; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Fifty-three and 65/100 Dollars ($53.65), (being the amount of said claim remaining unpaid), together with interest on said judgment from the 31st day of January, 1934, and costs of this action; and with release of all errors in all matters and proceeding.

Debt # 53.65
Int. from Jan. 31, 1934
"F." page 94. Judgment
Paul D. Slayton, Pro.

FEBRUARY TERM, 1940

Stuart A. Culbertson 44 Kent + Kent 12/30/39 P.D.S. April 5) 1941 rec'd of Pro. Thompson $3.00 Clerk of Q.S. Donald R. Culbertson	Renaa Doubet vs Clifford Maillard and Florence Maillard Issued Dec 20, 1939 Tax + writ (paid) $2.00 Shff. Smith (paid) $8.30 Bro. Dlayton 4/5/41. Pd. 15.25 Jury-fee 4/5/41. Pd. 4.00 Atty Pltff's Bill of Costs 31.38 63.93	Summons in Trespass; Returnable to the first Monday of January, 1940 Dec 20, 1939, Statement of Claim filed. Dec 30 1939 Affidavit of defense filed. Service accepted. April 22, 1940: Writ returned. "Served the within Summons together with Copy of Statement of Claim personally on Clifford Maillard and Florence Maillard, on Dec. 22, 1939, at 3:10 o'clock p.m., at their residence in Wayne Township, Crawford County, Pa., by handing to each of them a true and attested copy of the within Summons, together with Copy of Statement of Claim, and making contents of same known to each of them." No answer, Harry B. Smith, Sheriff. On Spring Trial List, 1940, No. 47 – On June Trial List. June 14, 1940 Continued on agreement of Counsel – Proposed settlement. Per Curiam. On Fall Trial List, 1940, No. 34. On Winter Trial List, 1941, No. 16. Janry 6, 1941, Continued on application of Defts. and marked Remanet. Per Curiam. On Spring Trial List, 1941, No. 3, Now, March 3, 1941, Jury selected and sworn as follows: 1. Louis E. Stevens, 2. Mrs. F. H. Powell, 3. Elizabeth Siverling, 4. Jim Landers, 5. Mrs. Ione McFadden, 6. Mrs. Rose C. Reese, 7. Mrs. Anna Wecas, 8. Wm. C. Wise, 9. Mrs. Arlene Burnes, 10. Mrs. Merta McQuiston, 11. Mrs. Clarence Noel, 12. Mrs. James Kelley; twelve good and lawful persons, who upon their solemn oaths which they have taken, say March 5, 1941, they find Clifford Maillard and Florence Maillard guilty of negligence, and that Renaa Doubet be awarded the full amount of Three hundred fifty Dollars. March 5, 1941. Defts. points filed. M. page 155 Now, March 7, 1941, a rule to show cause why judgment non obstante veredicto upon the whole record as to the defendant Florence Maillard, is hereby granted, returnable sec. leg.; and an order is hereby granted upon the Stenographer to have all the evidence taken upon the trial duly certified and filed so as to become part of the whole record. (See paper filed) Per Curiam Now, March 7, 1941, a rule is hereby granted in the above case to show cause why a new trial should not be granted. The Stenographer is hereby ordered to transcribe all the evidence, charge of the Court and duly certify and file the same so as to become part of the record; and the defendants are hereby granted leave to file additional reasons for a new trial within thirty days after said testimony has been transcribed and filed. Per Curiam. (See paper filed)

FEBRUARY TERM, 1940

Kent & Kent 45 F. Joseph Thomas 1/2/40 (See affs. of defense)	Mrs. Blanche Custead vs. Charles A. Custead, La Verne Kiesel and Earl Kiesel Issued Dec. 20, 1939 Jax & writ (Plff. pd) 3.00 Sluff. Smith	Replevin for household goods, equipment and appliances, described at length in praecipe and writ of the value of $448.00, Returnable to the first Monday of January next. Dec. 20, 1939 Affidavit of value filed. Dec. 20, 1939 Plff's. bond in Replevin, with J. Earl Walton and D. C. Griffin as sureties, in the sum of $896.00, approved and filed. Dec. 26, 1939 Counter bond of Laverne Kiesel, Earl Kiesel and C. A. Custead, defendants, with Leonard Wagner as surety, ~~approved and~~ filed, being in the sum of $896.00. Dec. 30, 1939 Declaration in Replevin filed. Jan. 2, 1940, Affidavit of defense filed. On Spring Trial List, 1940 No. 44 — On June Trial List May 27, 1940, Continued by agreement of counsel, Per Curiam.

Raymond C. Miller
46

Leland J. Culbertson
vs.
William Parks Jr., and Myra Parks, alias Mrs. William Parks, defendants, with notice to Wilford P. Schuschu and Virginia Schuschu, his wife, William J. Parks Jr. and Selma Parks, his wife, terre tenants
Issued Dec. 20, 1939.

Pro. Clayton (Atty.) 3.00
Staff Smith (paid) 11.10
Atty. pd Bowser 2-17-40 3.00

Of No. 225 November Term, 1934 D.S.B.
Scire Facias to revive and continue the lien of the above judgment. Returnable to first Monday of January, 1940.
P. pages 13, 131 & 164; D.C. page 136.
Dec. 20, 1939, Statement of claim filed.
Writ returned: Served the within Sci. Fa. to revive judgment, together with copy of statement of claim, on Myra Parks alias Mrs. William Parks, deft., by handing a true and attested copy thereof to an adult member of the family, namely Virginia Schuschu, her granddaughter at No. 15 Williams St. Vernon Tp., Crawford County, Pa. on Dec. 29, 1939, at 10:45 o'clock A.M., and making contents of same known to her. Also, served said writ and Statement on William P. Schuschu, terre tenant by handing a true and attested copy thereof to Virginia Schuschu an adult member of his family, namely, his wife, at No. 15 Williams St. Vernon Tp., on Dec. 29, 1939, at 10:45 o'clock A.M., and making contents of same known to her. Also, served said writ and statement on Virginia Schuschu, terre tenant, by handing a true and attested copy to her personally at No. 15 Williams St. Vernon Tp., on Dec. 29, 1939, at 10:45 o'clock A.M., and making contents of same known to her. Also, served said writ and statement on William J. Parks Jr. terre tenant, at No. 1236, Pennsylvania Av., Vernon Township, on Dec. 29, 1939, at 11:08 o'clock A.M., by handing a true and attested copy thereof to him personally, and making contents of same known to him. Also, served said writ and statement on Selma Parks, terre tenant, by handing a true and attested copy thereof to an adult member of her family, namely, William J. Parks, Jr., her husband, at No. 1238, Pennsylvania Av., Vernon Tp., on Dec. 29, 1939, at 11:08 o'clock A.M., and making contents of same known to him. So answers, Bert A. King, Deputy, Staff
Harry A. King, Sheriff.

Feby. 16th 1940. Rec'd satisfaction in full of within judgment. Direct vote etc. & direct the Prothonotary to satisfy the same of Record.
Leland J. Culbertson

Herbert A. Mook
47

Mary Ann Mushrush
vs.
Dewey V. Mushrush
Issued Dec 22, 1939

Tax & writ (paid)	$3.00
Shff. Smith (paid) 9-14-40. Pd.	9.40
Pro. S. Certified copy of libel	1.50
George X. Simonetta, Master	25.00
Pro. for Co. 9-14-40. Pd.	8.10
atty.	3.00
Shff. S. on att. (paid)	3.20

Subpoena in Divorce from Bed and Board, with Alimony.

And now, December 22, 1939, the within petition presented in open Court, and Subpoena awarded, returnable to the first Monday of February, 1940.

Per Curiam,
O. Clare Kent, P.J.

Certified copy of Libel issued to Sheriff.

Subpoena returned: Served the within Subpoena in Divorce upon the Respondent personally, on the 26th day of Dec., 1939, by delivering him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.

So answers Harry G. Smith, Sheriff.

And now, Sept. 13, 1940, George X. Simonetta, Esq., is hereby appointed Master to take testimony in the above entitled case and make report thereof to this Court.

Per Curiam.

Nov. 8, 1940, Testimony and Report of Master filed.

On Argt. List for Nov. Term, 1940, No. 27.

Now Nov. 28, 1940 After due consideration a divorce from bed and board, a mensa et thoro, is decreed as prayed for, and it appearing that the earnings of the respondent are one hundred fifty ($150) Dollars per month, it is ordered that the respondent, Dewey V. Mushrush pay to the libellant, Mary Ann Mushrush, the sum of Fifty ($50) Dollars per month in semi-monthly payments of Twenty-five ($25) Dollars each from the date of this decree, for her support and maintenance, and that the said respondent give security in the sum of Six hundred ($600.00) Dollars, to be approved by the Court, for the payment of said allowance. It is further ordered that the respondent, Dewey V. Mushrush, pay the cost of this proceeding.

Per Curiam,
O. Clare Kent, P.J.

-Decree-

And now Nov. 28-1940 this cause having been heard on libel subpoena, subsequent proceedings and evidence thereon, duly taken and filed of record, the Master, after a full hearing of the case, having found that the facts set forth in the libelants libel are true, and having also found that the earnings of the respondent are one hundred fifty dollars ($150.00) per month; and the Court having given the case full consideration does now order, adjudge and decree that the libellant, Mary Ann Mushrush and the respondent, Dewey V. Mushrush be separated from bed and board. And it is further ordered adjudged and decreed that the respondent, Dewey V. Mushrush, pay to the libellant Mary Ann Mushrush, the sum of Fifty ($50.00) dollars per month, in semi monthly payments of Twenty five ($25.00) each from the date of this decree; and it is also decreed that respondent give security in the sum of six hundred ($600.00) dollars to be approved by the Court, for the payment of said allowance.

(Cont'd on margin)

Dept. 13, 1940: Received $35.00 costs. Pro. Pro.

40¢ refund. P.O.S. Jan 21, 1940 - Rec'd above refund - I.R. mark atty. Nov. 8, 1940 - Received the Master fee of $25. in the above entitled case George X. Simonetta

It is further ordered that the respondent, Dewey V. Mushrush pay the cost of this proceeding.

Per Curiam.

And now, March 7, 1941 a motion in open Court an Attachment is directed to be issued against the respondent for wilful refusal to comply with the order of Court entered in the above entitled case requiring the respondent to pay his wife the sum of $50.00 per month alimony, and enter into a bond in the sum of $600.00 conditioned on his compliance with said order, Returnable forthwith.

Per Curiam

See paper filed.

Same day, Attachment issued.

Record Cont'd on page 638.

FEBRUARY TERM, 1940

F. Joseph Thomas 48	William Roy Adsit and Mary Alice Adsit, his wife vs. Harry E. Hudson and J. M. Hays Entered Dec 22, 1939 Tax & entry (paid) $ 3.50 Atty 3.00	Amicable Action in Ejectment for All that certain piece or parcel of land, situate in Union Township, Crawford County, Pennsylvania, bounded and described as follows to wit: On the north by the public road leading from Geneva to Meadville; on the east by land of Ellie Davis; on the south by land of the Erie Railroad Company; and on the west by land of Bryce McMichael, containing sixteen (16) acres, more or less. Being the same land conveyed to William Roy Adsit and Mary Alice Adsit, his wife, by deed from Andrew Steiner. Dec 22, 1939, Amicable Action and confession of judgment, affidavit of default, and copy of Articles of Agreement, filed. And now, Dec 21, 1939, It is agreed that an amicable action of ejectment be entered as if a summons in ejectment had been issued by the plaintiffs against the defendants, for the property described, to a return day provided by law, and had been duly returned Served by the Sheriff; and by virtue of a warrant of attorney the defendants, by F. Joseph Thomas, Esq., attorney confess judgment in ejectment for said premises, in favor of the plaintiffs and against the said defendants, according to the terms of the agreement between said parties without any Stay of execution; waiving all Stay and exemption laws. (See paper filed). Ju. p. 94; Ja. p. 144 Judgment Paul D. Slayton, Pro. Hab. Fac. Poss, with clause of Fi. Fa. for costs to No. 33 Feb. Tr. 1940.

FEBRUARY TERM, 1940

Kent & Kent
49

Beatrice Barr
vs
Robert Barr
Issued Dec 22, 1939
$ -
Tax & writ (paid) 3.00
Shff. Smith (paid) 3.20
Frank D. Prather, Master 25.00
Pro. for Co. 5-5-42 Pd. 8.60
Atty. 3.00

Subpoena in Divorce and for the custody of Richard Lee Barr, minor child of the parties.
And now, Dec 22, 1939, Subpoena awarded, returnable to the first Monday of February, 1940.
Per Curiam,
O. Clare Kent, P.J.

Feb. 8, 1940: Writ returned: Served the within Subpoena in Divorce on the 6th day of Jan., 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof as appears from affidavit as above. So answers, Harry B. Smith, Shff.

May 4, 1942, Rec'd. $33.60 costs.
P.D.S.

May 21, 1942 Rec'd $25.00 Master's fee
Frank D. Prather

And now, May 4, 1942 Frank D. Prather, Esq., is hereby appointed Master to take testimony in the above entitled case and make report to the Court.
Per Curiam.

May 21, 1942, Testimony and Report of Master filed,
On Argt. List for May Term, 1942; No. 36.
May 28, 1942, Affidavit of non-military service filed.

Now June 4, 1942 After due consideration a divorce is decreed as prayed for and the respondent, Robert Barr, is ordered to pay the cost of this proceeding.
Per Curiam
O. Clare Kent P.J.

Decree:—
And now, June 4, 1942, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Beatrice Barr be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Beatrice Barr, the libellant, and the said Robert Barr, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. (See paper filed.) Per Curiam.

50

J. Perry Eckels for Rule

C.C. Boyce
vs.
Charles D. Allen
Entered Dec. 27, 1939
#
Pro. Slayton (Plff. pd) 2.25
Pro. Slayton on Rule

Of No. 254 February Term, 1934
Amicable Scire Facias sur Judgt
It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Eighty-one and 75/100 Dollars, being the amount of debt, interest from Dec. 16, 1939, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Dated 1939

(Signed) Charles D. Allen (Seal)

Signed, sealed and delivered in the presence of
(Sgd) Oletta A. Hazelton.

Debt # 81.75
Interest from Dec. 16, 1939
Judgment
Paul D. Slayton, Pro

A page 71.

And now, September 15, 1941, On motion in open Court, a rule is granted to show cause why the above judgment should not be stricken off, for matters appearing of record, returnable sec. reg. (See paper filed) Per Curiam.

Kent & Kent
51

Lawrence Edward Crecraft
vs
Rena ~~Mary~~ Crecraft
Issued Dec. 27, 1939

	$ c.
Tax & writ (paid	3.00
Sheriff Smith Cd.	4.90
Raymond C. Miller, Master	25.00
Pro. for Co. 2-6-40 Pd.	8.10
Atty.	3.00

Feb. 5, 1940: Received Pro. Costs and Master's fee (33.10). P.D.S. fpm.

February 13, 1940
Received Master's fee
$25.00 from Pro. Slaytr
Raymond C. Miller
master

Subpoena in Divorce and for the custody of minor children, Lawrence Crecraft, Jr., aged 12 years, Helen Crecraft aged 11 years, and Lloyd Crecraft aged 9 years

And now, Dec. 27, 1939, Subpoena awarded; returnable to the first Monday of February, 1940.

Per Curiam,
O. Clare Kent, P.J.

Feby. 12, 1940. Subpoena retd.: Served the within Subpoena in Divorce on the Respondent personally, on the 30th day of Dec. 1939, by delivering to her a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit as above. So answers,

Harry B. Smith, Sheriff.

And now, Feby. 5, 1940, Raymond C. Miller, Esq., is appointed master to take testimony. Per Curiam,

Feby. 23, 1940. Testimony and Report of Master filed.

On Arg. List for Feb. Term, 1940, No. 41.

Mar. 4, 1940, After due consideration a divorce is decreed as prayed for, and the custody of minor children, Laurence, Jr., Helen and Lloyd Crecraft, is awarded to libellant, Laurence Edward Crecraft, and it is further ordered that the decree herein shall contain the statutory prohibition against marriage of respondent with the paramour during lifetime of the injured and innocent spouse.

Per Curiam,

Decree: And now, to-wit: March 4, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Lawrence Edward Crecraft be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said Lawrence Edward Crecraft, the libellant, and the said Rena ~~Mary~~ Crecraft, the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time hereto-fore in pursuance of said marriage, shall cease and determine. And the said libellant shall be at liberty to marry again in like manner as if he had never been married. It is further ordered and decreed that the custody of minor children, Lawrence, Jr., Helen, and Lloyd Crecraft is awarded to libellant, Lawrence Edward Crecraft, and it is further ordered that the said respondent, Rena ~~Mary~~ Crecraft is prohibited from marrying the paramour, Ira Taylor, during the lifetime of the injured spouse, Lawrence Edward Crecraft. Per Curiam.

R. B. Mahaney
52

The City of Titusville
vs
Robert A. Daub,
owner or reputed
owner

Issued Dec. 27, 1939

	$
Tax & writ	2.75
Pff on lien	1.50
Shff Smith (paid)	2.90

Of No. 6 February Term, 1935, Tax Lien Sci. Fa. sur Lien for City Taxes for 1932 & 1933, entered Dec. 31, 1934, in Tax Lien Docket No. 2, page 93. Returnable within three months from date of issuance.

Dec. 27, 1939, Affidavit of City Solicitor filed.

Writ returned: Served the within Scire Facias sur Municipal Lien on Arthur D. Daub, terre tenant, on Mar. 8, 1940, at 2:20 o'clock P.M., at his residence No. 520 Brook Street, City of Titusville, Crawford County, Pa., by handing to him a true and attested copy thereof, and making contents of same known to him. Nihil habet as to Robert A. Daub, owner or reputed owner.

"D", p. 133. So answers Harry B. Smith, Sheriff.

FEBRUARY TERM, 1940

R B. Mahany 53	The City of Titusville vs. James Earley and Julia Earley, owners or reputed owners Issued Dec 27, 1939 Tax & writ $ 2.75 Plff. on lien 1.50	Of No. 9 February Term, 1935 Tax L. Doc. Sci. Fa. sur Lien for City Taxes for 1932 and 1933 entered Dec. 31, 1934 in Tax Lien Docket No. 2, page 96; Returnable within three months from date of issuance. Dec 27, 1939 Affidavit of City Solicitor filed.

R. B. Mahaffey
54

The City of Titusville
vs
Frank Pospieski and
Frances Pospieski,
Owners or reputed
owners.
Issued Dec. 27, 1939

	#
Tax writ	2.75
Pltff. or lien	1.50
Shff. Smith (paid)	9.90

Of No. 11 February Term, 1935 Tax & Dog
Sci. Fa. sur Lien for City Taxes
for 1932 and 1933, and entered in
Tax Lien Docket No. 2, page 98;
Returnable within three months
from date of issuance.
Dec. 27, 1939. Affidavit of City
Treasurer filed.
Writ returned: Served the within
Sci. Fa. sur Municipal Lien personally
on Frank Pospieski, owner or reputed
owner, on March 26, 1940, at 11:50 o'clock
A. M., at No. 644 West Central Avenue,
City of Titusville, Crawford County, Pa., by handing to
him a true and attested copy thereof, and making
contents of same known to him. Also, served the
within Sci. Fa. sur Municipal Lien personally, on
Frances Pospieski, owner or reputed owner, on Mar.
26, 1940, at 11:50 o'clock A. M., at No. 644, West Central
Avenue, City of Titusville, Crawford County, Pa., by
handing to her a true and attested copy thereof,
and making contents of same known to her.
~~P. pft.~~ So answers Harry B. Smith, Sheriff.

FEBRUARY TERM, 1940

F. Joseph Thomas
55

55

Ardenbrook—
1/5/40 P.D.S. Pro

J. M. Wargo, doing business as Meadville News Company
vs.
Marion Peters
Issued Dec. 27, 1939

	$ -
Tax & writ (paid)	2.00
Shff. Smith (paid)	4.10
Pro. Slayton	12.50
Jury-fee	4.00
Atty	3.00

Summons in Trespass; Returnable to first Monday in February next.

Feb. 7, 1940: Writ returned: Served the within Summons, personally, on Marion Peters, by serving Dorothy Peters, she being an adult member of the family, namely, his wife, on January 13, 1940, at 4:45 o'clock p.m., at their residence in the Borough of Saegertown, Crawford County, Pa., By handing to her a true and attested copy of the within Summons and making contents of same known to her. So answers, Harry B. Smith, Shff.

Sept. 23, 1940 Sept. 23, 1940, Statement of claim filed.

On Fall Trial List, 1940, No. 47,

On Winter Trial List, 1941, No. 29.

Janry 16, 1941, Continued on application of Defts. and marked Remanet. Per Curiam.

On Spring Trial List, 1941, No. 8.

March 3, 1941, Continued by consent of Counsel. Per Curiam.

On Fall Trial List, 1941; No. 48.

On Winter Trial List, 1942; No. 11.

And now, January 14, 1942, Jury selected and sworn as follows: 1- Walter Mullins, 2- Charles D. Willis, 3- Mrs. Harriet Noonan, 4- Grant R. Wilson, 5- Mrs. Ruby Davis, 6- John Robbins, 7- Ray Stevens, 8- Mrs. Kate Van Horne, 9- Burd Hayes, 10- Richard Holden, 11- L. B. McBride, 12- Fred West: twelve good and lawful persons, who upon their solemn oaths which they have taken, say, January 16, 1942, "they find both plaintiff and defendant negligent in the exercise of due care, and release the defendant from payment of claim"; to wit, "Verdict for defendant," as recorded on Court's Trial List. "Wa" page 164; "Firm" page 94.

Janry 15, 1942 Defendant's points filed.

F. Joseph Thomas 56	Bessie Glover, now use of Irene Kistler vs. B. H. Bixby and B. E. Elston, otherwise Bertha E. Elston Entered Dec. 27, 1939 $ Pro. Slayton (paid) 2.25 Atty 3.00	Of No. 383 February Term, 1936 App. Doc. Amicable Sci. Fa. to Revive Judgment. Now, to wit, this 15th day of December, A.D. 1939, it is hereby agreed by and between the plaintiff, Bessie Glover, now use of Irene Kistler above named, and the defendants, B. H. Bixby, and B. E. Elston, above named, that an Amicable Scire Facias on the above stated judgment be entered on the records of the said Court by the Prothonotary thereof, in the above form as of the present term, with the same force and effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant, B. H. Bixby, and B. E. Elston, above named, by the Sheriff of said county and duly so returned, and judgment taken thereon in open Court. And it is further agreed that judgment of revival be and the same is hereby confessed by the defendant B. H. Bixby and B. E. Elston, above named, in favor of the plaintiff Bessie Glover, now use of Irene Kistler, above named, for the sum of Two Thousand Four Hundred Eighty and no/100 Dollars ($2480.00), with interest from the fifteenth day of December, 1939, the same being the amount of debt, interest and costs, due on that date, on the original judgment; with all the waivers and conditions contained in the original judgment, without stay of execution, and waiving inquisition and exemption, with costs and an attorney fee, and release of all errors, with ten per cent added as attorney's fee for collection. Witness our hands and seals. B. H. Bixby (Seal) Bertha E. Elston (Seal) Irene Kistler (Seal) Signed, sealed and delivered in presence of F. Joseph Thomas. Debt $2,480.00 Interest from Dec. 15, 1939 Bi. page 87; E. page 47. Judgment Paul D. Slayton, Prothy Sept. 6, 1944 Am. Sci. Fa. to No. 207 Sept. Term, 1944, signed by B. E. Elston only.

FEBRUARY TERM, 1940

Herbert E Varnum 57	School District of Titusville vs. William Hetrick, Owner or reputed owner Issued Dec 28, 1939 $ ¢ Tax & writ 4/19/40 Pd. 2.75 Plff's on lien 1.50 Pro. Slayton 1.25 Atty 3.00	Of No. 131 February Term, 1935 T L Doc Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 92 Returnable within three months from date of issue. Dec. 28, 1939 Affidavit of Plff's Solicitor filed. March 13, 1940, appearance, acceptance of service of Sci. Fa. and confession of judgment by William Hetrick, defendant, filed; whereupon judgment is entered in favor of the plaintiffs and against said defendant on the said Scire Facias and the tax claim therein described, for the sum of Eight Dollars and sixty cents ($8.60) together with five per cent (5%) penalty from the first day of May, 1933, and together with costs of this action, and with release of all errors in all matters and proceedings. Debt $8.60 Int. No. pr 118. Judgment. Paul D. Slayton, Pro.
Herbert E Varnum 58	School District of Titusville vs. Robert A. Daub owner or reputed owner (Arthur Daub, terre tenant.) Issued Dec 28, 1939 $ ¢ Tax & writ 4/19/40 Pd. 2.75 Plff's on lien 1.50 Pro. Slayton 1.25 Atty 3.00	Of No. 123 February Term, 1935 T L Doc Sci. Fa. sur School Tax Lien filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2 page 84, Returnable within three months from date of issue. Dec. 28, 1939 Affidavit of Plff's Solicitor filed. March 13, 1940, appearance, acceptance of service of Sci. Fa. and confession of judgment, by Arthur Daub, terre tenant, filed; whereupon, judgment is entered in favor of the plaintiffs and against said terre tenant, on the said Scire Facias and the tax claim therein described, for the sum of Five Dollars and nine cents ($5.09), together with five per cent (5%) penalty from the first day of May, 1933, and together with costs of this action, and with release of all errors in all matters and proceedings. Debt $5.09 Interest D. page 133 Judgment Paul D. Slayton, Pro

Herbert E Varnum 59	School District of Titusville vs. Frank Pospieski & Frances Pospieski owners or reputed owners Issued Dec 28, 1939 Tax & cost 4/19/40 dd. $2.75 Plff on lien 1.50 Jno. Slayton 1.25 Atty 3.00	Of No. 162 February Term 1940 Sci. Fa. sur School Tax Lien Doc filed Dec 31, 1934, and entered in Tax Lien Doc. No 2, page 123. Returnable within three months from date of issue. Dec 28, 1939 Affidavit of Plff's solicitor filed. March 13, 1940, appearance, acceptance of service of Sci. Fa. and confession of judgment, by Frances Pospieski and Frank Pospieski, defendants, filed; whereupon, judgment is entered in favor of plaintiff and against said defendants on the said Scire Facias and the tax claim therein described for the sum of Seventeen Dollars and thirty-two cents ($17.32), together with five per cent (5%) penalty from the first day of May, 1933, and together with costs of this action, and with release of all errors in all matters and proceedings. Debt $5.09 Interest P. pages 40 & 133 Judgment Paul D. Slayton, Pro.
Herbert E. Varnum 60	School District of Titusville vs. E. J. Wakefield and L. E. Wakefield, alias Mrs. Lena Wakefield owners or reputed owners Entered Dec 28, 1939 Tax & entry 4/19/40 dd. $2.75 Atty 3.00 Plff on lien 1.50	Of No. 167 February Term, 1935 Tax Lien Doc Amicable Sci. Fa. sur School Tax Lien filed Dec 31, 1934, and entered in Tax Lien Doc. No 2, p 128. It is agreed that an Amicable Sci. Fa. be entered upon the above Tax Lien, with the same effect as if a Scire Facias in due and legal form had been issued, and duly and legally served and returned by the Sheriff and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Nineteen Dollars and sixty-nine cents, with interest from May 1, 1933, being the amount of the claim in said matter remaining unpaid, with costs of this action, with release of errors Debt 19.69 Int. from May 1, 1933 Wa. pages 114 & 132. Judgment Paul D. Slayton, Pro.

FEBRUARY TERM, 1940

Herbert E. Varnum 61	School District of Titusville vs. James Earley and Julia Earley, owners or reputed owners Issued Dec. 28, 1939 #- Jay & writ 4/19/40 Pd. #2.75 Plff. on lien 1.50	Of No. 126 February Term, 1935 T.D. Doc Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2 page 87. Returnable within three months from date of issue. Dec. 28, 1939 Affidavit of Plff's. Solicitor filed.
Herbert E. Varnum 62	School District of Titusville vs. Odin Construction Company, owner or reputed owner and Charles S. Clark, terre tenant Issued Dec 28, 1939 #- Jay & writ 4/19/40 Pd. 2.75 Plff. on lien 1.50 Pro. Blayton 1.25 Atty. 3.00	Of No. 153 February Term, 1935 T.D. Sci Fa sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Docket No. 2, page 114. Returnable within three months from date of issue. Dec. 28, 1939 Affidavit of Plff's Solicitor filed. March 13, 1940, appearance, acceptance of service of Sci. Fa. and confession of judgment by Charles S. Clark, terre tenant, filed, whereupon, judgment is entered in favor of the plaintiff and against said terre tenant on the said Scire Facias and the tax claim therein described, for the sum of Thirty-four Dollars and two cents ($34.02), together with five per cent (5%) penalty from the first day of May, 1933, and together with costs of this action, and with release of all errors in all matters and proceedings. Debt #34.02 Interest Ml. page 90. Judgment Paul D. Blayton, Pro.

Dickson Andrews 63 Max B. Maloney	City of Meadville vs. Alpha Chi Rho Fraternity, owner or reputed owner. Issued Dec. 29, 1939 Tax & writ 9-23-40 P.D. $2.75 Plff. on lien 1.50	Of No. 38 February Term, 1935 T.D. Sci. Fa. sur City Tax Lien filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 125, Returnable within three months from date of issue. Writ returned. Jan. 19, 1940, I hereby appear upon behalf of the Phi Iota Building Association of Alpha Chi Rho Fraternity, present owner of the premises described in the within writ, and accept due service of the said writ. (Sgd) Max B. Maloney Atty

This claim having been paid in full
I direct the Prothonotary to mark the same
satisfied of record

Dated May 6, 1944

Dickson Andrews, Atty for Plaintiff

Dickson Andrews 64 Walter J. McClintock for County Solicitor.	City of Meadville vs. Mike Arguneian owner or reputed owner, Issued Dec 29, 1939 Tax & writ 9/23/40 P.D. $2.75 Plff. on lien 1.50 Sugg. of Non-Payt Paid 9/27/45 1.00	Of No. 39 February Term, 1935 T.D. Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 126 Returnable within three months from date of issue. Writ retd. Jan 25, 1940: Jan. 20, 1940, Due service of the within writ is hereby accepted. Atty for Sgd Mike Arghnian March 21, 1940, Walter J. McClintock, Esq. County Solicitor, enters an appearance upon behalf of the County Commissioners of Crawford County, present owners or reputed owners of the premises described in the within writ, and accepts due service of said writ. (See writ Corp. page 91. Dec. 29, 1944, Suggestion of non-payment filed,

FEBRUARY TERM, 1940

Dickson Andrews 65	City of Meadville vs. Roger S Bailey, owner or reputed owner. Issued Dec. 29, 1939 Tax & writ 9/23/40. Pd. - $2.75 Pltf. on lien 1.50 Sugg. of Non-Payt. Paid 9/27/45 1.00	Of No. 40 February Term, 1935 D.D. Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 127; Returnable within three months from date of issue. Writ returned Feb. 3, 1940. Feb. 2, 1940: Due service of the within writ is hereby accepted. (Sgd) Mildred L. Bailey (Sgd.) Roger S. Bailey, D.D.S. Dec. 29, 1944 Suggestion of non payment filed. Jan. 23, 1948, This lien satisfied. (See Tax Docket)
Dickson Andrews 66	City of Meadville vs. George Cutter owner or reputed owner Issued Dec. 29, 1939 Tax & writ 9/23/40 Pd. $2.75 Pltf. on lien 1.50 Sugg. of Non-Payt. Paid 9/27/45 1.00 Suggn. 1.00	Of No. 51 February Term, 1935 D.D. Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 138; Returnable within 3 months from date of issue. Jan. 25, 1940, Writ returned: Jan. 25, 1940, Due service of the within writ is hereby accepted (Sgd) Geo. W. Cutter. Dec. 29, 1944, Suggestion of non-payment filed. Dec. 17, 1954, Suggestion of Non-Payment Filed

Dickson Andrews 67	City of Meadville vs Mrs. Rose Duffy owner or reputed owner. Issued Dec. 29, 1939	Of No. 59 February Term, 1935 TLD Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 146; Returnable within 3 months from date of issue. Writ returned Feb. 17, 1940. February 12, 1940, Due service of the within writ is hereby accepted by the undersigned— John A. Duffy, Bernard A. Duffy, Luella Duffy Mulligan, Mrs. Rose Wheat
	Tax & writ 9/23/40. Pd. $2.75 Plff. on lien 1.50 Sugg. of Non-Payt. Paid 9/27/45 1.00 Sugg. 3.00	

D. pp. 130, 131; M. p. 141; Wk. p. 81; F. p. 97 Mrs. Mary Flynn
Dec. 29, 1944, Suggestion of non-payment filed,
Dec. 17, 1954, Suggestion of Non-Payment Filed

Dickson Andrews 68	City of Meadville vs Cecelia Forbes, Owner or reputed owner. Issued Dec. 29, 1939	Of No. 70 February Term, 1935 TLD Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 157; Returnable within three months from date of issue. Writ returned Jan. 29, 1940 by City Solicitor, without service thereof being made. (See writ)
	Tax & writ 9/23/40. Pd. $2.75 Plff. on lien 1.50	

Dickson Andrews 69	City of Meadville vs Joseph Trisina Owner or reputed owner. Issued Dec. 29, 1939 # Tax & writ 9/23/40 Pd. 2.75 Plff. on lien 1.50	Of No. 71 February Term, 1935 TLD Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934 and entered in Tax Lien Doc. No. 2, page 158; Returnable within three months from date of issue. Writ retd:- Jan. 31, 1940. The within writ is hereby returned without service thereof being made. (Sgd) Dickson Andrews, City Solicitor-
Dickson Andrews 70 Walter J. McClintock for County Comrs	City of Meadville vs Alice M. Gourley owner or reputed owner. Issued Dec 29, 1939 # Tax & writ 9-23-40 Pd. 2.75 Plff. on lien 1.50 Sugg. of Non-Payt. Paid 9/27/45 1.00	Of No 73 February Term, 1935 TLD Sci. Fa. sur City Tax Lien filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 160; Returnable within three months from date of issue. March 21, 1940, Walter J. McClintock, Esq, County Solicitor, enters an appearance on behalf of the County Commissioners of Crawford County, present owners or reputed owners of the premises described in the within writ, and accepts due service of said writ. (See Sci. Fa. Corp. p. 91. Dec. 29, 1944, Suggestion of non-payment filed.

FEBRUARY TERM, 1940

Dickson Andrews 71	City of Meadville vs A E Harford, owner or reputed owner. Issued Dec 29, 1939 $ Tax & writ 9/23/40. Pd 2.75 Plff. on lien 1.50 Sugg. of Non-Payt. Paid 9/27/45 1.08	Of No. 76 February Term, 1935 T.L.D Sci. Fa sur City Tax Lien filed Dec 31, 1934 and entered in Tax Lien Doc No 2, page 163; Returnable within three months from date of issue. Writ returned: Jan 29, 1940, Due service of the within writ is hereby accepted. (Sgd) A E Harford Dec. 29, 1944, Suggestion of non-payment filed.
Dickson Andrews 72 Marked Satisfied by Atty Connelly	City of Meadville vs. Addie Maxwell, owner or reputed owner Issued Dec 29, 1939 $ Tax & writ 9/23/40. Pd. 2.75 Plff. on lien 1.50	Of No. 88 February Term, 1939 T.L.D Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc No. 2, page 175; Returnable within three months from date of issue. March 21, 1940, Due service of the within writ is hereby accepted. Estate of Addie Maxwell, by G. Stanley Maxwell, Executor (See Sci. Fa.) "St." page 38.

FEBRUARY TERM, 1940

Dickson Andrews 73	City of Meadville vs Norman Miller, Owner or reputed owner. Issued Dec. 29, 1939 # Tax & writ 9/23/40. Pd. 2.75 Plff. on lien 1.50	Of No. 90 February Term, 1935, T.L. Doc. Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 177; Returnable within three months from date of issue. Writ returned Feb. 3, 1940. Jan. 31, 1940: Due service of the within writ is hereby accepted by the undersigned. (Sgd.) Norman Harold Miller (Sgd) Marie Arleene Miller. Dec. 15, 1941, This lien satisfied. (See Tax Docket)
Dickson Andrews 74	City of Meadville vs Charles J. Michel Owner or reputed owner. Issued Dec. 29, 1939 # Tax & writ 9/23/40. Pd. 2.75 Plff. on lien 1.50 Sugg. of Non-Payt. Paid 9/27/45 1.00	Of No. 92 February Term, 1935 T.L.D. Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 179 Returnable within three months from date of issue. Writ returned: March 6, 1940 The within writ is hereby returned without service thereof. Dickson Andrews, City Solicitor Dec. 29, 1944, Suggestion of non-payment filed Mar. 9, 1945, This lien satisfied. (See J.D.)

FEBRUARY TERM, 1940

Dickson Andrews 75	City of Meadville vs Dexter Moffitt, owner or reputed owner. Issued Dec 29, 1939 # Tax writ 9/23/40. Pd. 2.75 Plff. on lien 1.50 Shff Smith Pd 3.20 Sugg. of Non-Payt. Paid 9/27/45 1.00	Of No 94 February Term, 1935 TLD Sci. Fa. sur City Tax Lien, filed Dec 31, 1934, and entered in Tax Lien Doc No 2, page 181, Returnable within three months from date of issue. Writ returned: Served the within Scire Facias sur Municipal Lien on Dexter J. Moffitt, owner or reputed owner and terre tenant, on March 7, 1940, at 3 o'clock P. M., at 1146 Water Street, City of Meadville, Crawford County, Pa, by handing to him a true and attested copy thereof, and making contents of same known to him. So answers Harry B. Smith, Sheriff Dec. 29, 1944, Suggestion of non-payment filed. Dec 27, 1945 Received satisfaction in full of the above Judgment, Debt Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record. Dickson Andrews City Solicitor Atty for Plaintiff Witness:
Dickson Andrews 76	City of Meadville vs W. W. Pressey, owner or reputed owner. Issued Dec 29, 1939 # Tax writ 9/23/40. Pd. 2.75 Plff. on lien 1.50	Of No 104 February Term, 1935 TLD Sci. Fa. sur City Tax Lien, filed on Dec 31, 1934, and entered in Tax Lien Doc No 2, page 191 Returnable within three months from date of issue. March 8, 1940: The within writ is hereby returned without service thereof. (sgd) Dickson Andrews, City Solicitor.

FEBRUARY TERM, 1940

Dickson Andrews 77	City of Meadville vs E. E. Waid, owner or reputed owner. Issued Dec 29, 1939 $ Tax writ 9/23/40 Pd. 2.75 Plff. on lien 1.50	Of No. 111 February Term, 1935 T.L. Doc Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in the Tax Lien Doc No. 2, page 198, Returnable within three months from date of issue. Writ returned Jan. 25, 1940. Jan. 23, 1940, Due service of the within writ is hereby accepted. (Sgd) E. E. Waid.
Dickson Andrews 78	City of Meadville vs W. D. West Estate, owner or reputed owner. Issued Dec. 29, 1939 $ Tax writ 9/23/40 Pd. 2.75 Plff. on lien 1.50 Sugg. of Non-Payt. Paid 9/27/45 1.00	Of No. 117 February Term, 1935 T.L. Doc Sci. Fa. sur City Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 204; Returnable within three months from date of issue. Writ returned Feb. 3, 1940. Jan. 30, 1940: Due service of the within writ is hereby accepted. (Sgd.) Claude E. West. Dec. 29, 1944, Suggestion of non-payment filed. April 11, 1946, This lien satisfied. (See J.D.)

FEBRUARY TERM, 1940

F. C. Kiebort Jr.
George J. Barco
79

Clyde L. Stough
vs
Leona F. Stough
Issued Dec. 29, 1939
f. f.

Tax Court (paid) 3.00
Stff. Smith (paid) 3.20
Faris J. Thomas, Master 25.10
Pro. for Co. - 2-6-40 Pd. 8.10
Atty. 3.00

Feb. 5, 1940: Received $35.00 Pro. Costs. P.D.O.M.

Feb. 24, 1940 - Rec'd. Master's fee in full.
Faris J. Thomas, Master
S.T.

March 22, 1940 - Rec'd $1.90 refund
F. C. Kiebort, Jr.

Subpoena in Divorce
And now, Dec. 29, 1939 Subpoena awarded, returnable to the first Monday of February, 1940
Per Curiam
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 6th day of January, 1940, by delivering to her a true and attested copy of the same and making known to her the contents thereof, as appears from affidavit as above.
So, answers, Harry B. Smith, Sheriff

And now, February 5, 1940, Faris J. Thomas, Esq., is hereby appointed Master to take testimony in the above divorced and report thereon to the Court. Per Curiam.

Feby. 24, 1940, Testimony and Report of Master filed.
On A. Opt. List for Feb. Term, 1940, No. 45.

March 2, 1940, After due consideration a divorce is decreed as prayed for. Per Curiam.

Decree: And now, to-wit: March 2, A.D. 1940, this cause come on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Clyde L. Stough be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said Clyde L. Stough, the libellant and the said Leona F. Stough, the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

Peters & Prather
80

Raymond C. Miller
for Garland E. Fox
1-VV-40

Feby. 19, 1940, Recd. $33.10 costs
P. B. S.

Feby 24, 1940 Recd of Orothy
5. master fee.
Paul E. Thomas
Master.

Sara C. Fox
vs.
Garland E. Fox
Issued Dec. 29, 1939

Tax & writ (paid)	$ 3.00
Shff Smith	---
Paul E. Thomas, Master	25.00
Pro. for Co. 2-19-40 Pd.	8.10
Atty.	3.00

Subpoena in Divorce
And now, Dec. 29, 1939 Subpoena awarded; Returnable to first Monday of February, 1940.
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned:
"Now, January 24, 1940, I hereby accept service, by true and correct copy, of the within Subpoena in Divorce, with the same force and effect as if duly served by the Sheriff upon Respondent, Garland E. Fox, and hereby enter my appearance generally for said Respondent."
(Signed) Raymond C. Miller,
(See Subpoena) Attorney for Respondent

And now, February 19, 1940, upon presentation of the within Motion, Paul E. Thomas, Esq., is hereby appointed Master to take testimony in the above case and make report thereon to the Court.
Per Curiam.

Feb. 19, 1940, Acceptance of service of notice of hearing before Master, by respondent's counsel, filed.

Feby. 24, 1940. Testimony and Report of Master filed.

On Argt. List for Feb. Term, 1940, No 43.

Now, March 16, 1940, after due consideration, the libel is dismissed at cost of libellant. Exception is noted and sealed for libellant.
Per Curiam,
O. Clare Kent,
President Judge.

(See opinion filed)

FEBRUARY TERM, 1940

J. Perry Eckels & F. Joseph Thomas	Monteith Bros., Inc. vs Martha E. Ott, doing business as Otts Tire Shop Entered Dec. 29, 1939 Tax & entry (atty fee) 1.50 Costs on Trans. 5.95 2.50	Appeal by Deft. from Judgment of D.G. MacTarnaghan, Alderman. Jan. 2, 1940, Service of notice to pltf. of filing appeal, accepted by J. Perry Eckels, Esq. as Attorney for Pltf. (See paper filed) March 29, 1940, Statement of claim filed. Service accepted And now, April 15, 1940, upon filing the within affidavit and on motion of F. Joseph Thomas, Esq., Atty for the Def the Court grants a rule on the Pltf. to show cause why it should not give security for costs. Returnable sec. leg. & see reg. All proceedings to stay meanwhile. (See paper filed.) Per Curiam. On Argt. List for Sept. Term, 1940, No. 13. Sept. 23, 1940 by agreement of counsel, the Rule to show cause is hereby made absolute, and it is ordered that security for costs in the sum of $200. be filed within fifteen days from this date, or judgment of non pros. to be entered on said failure. Per Curiam.

Paul E Thomas 82 And now, June 2, 1944 this lien having been paid in full the prothonotary is directed to satisfy the same of record. Paul E. Thomas Attorney.	School District of the City of Meadville vs Alpha Chi Rho, owner or reputed owner. Issued Dec. 29, 1939 Tax & writ 4/24/40 rd. 2.75 Plff or lien 1.50 Shff Smith 3.20	Of No. 168 February Term, 1935 TL Doc Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Docket No. 2, page 129 Returnable within three months from date of issue. Writ retd Mch. 29, 1940: Served the within Sci. Fa. on Alpha Chi Rho, owner or reputed owner, by serving May B. Maloney, the Treasurer of Alpha Chi Rho, on March 28, 1940, at 11:01 A.M. at No. 360 Center Street, City of Meadville, Pa., by handing him a true and attested copy thereof, and making contents of same known to him. So answers Nellie M. Shafer, Deputy Sheriff; Harry B. Smith, Shff.
Paul E Thomas vs 83	School District of the City of Meadville vs Mike Argunian owner or reputed owner. Issued Dec. 29, 1939 Tax & writ 4/24/40 rd. 2.75 Plff or lien 1.50 Shff Smith 3.20	Of No. 169 February Term, 1935 TL Doc Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Docket No. 2, page 130 Returnable within three months from date of issue. Writ retd Mar. 29, 1940: Served the within Sci. Fa. on Mike Argunian, owner or reputed owner, on March 27, 1940, at 11:45 A.M., at No. 1105 West St., City of Meadville, Pa., by handing him a true and attested copy thereof, and making contents of same known to him. So answers Harry B. Smith, Shff.

FEBRUARY TERM, 1940

Paul E. Thomas 84	School District of the City of Meadville vs Roger S. Bailey, owner or reputed owner Issued Dec. 29, 1939 Tax & writ 4/24/40 $2.75 Plff. on lien 1.50 Shff. Smith 3.20	Of No. 171 February Term, 1935 T.L.D. Sci. Fa. sur School Tax Lien filed Dec. 31, 1934, and entered in Tax Lien Docket No. 2, page 132. Returnable within three months from date of issue. Writ ret'd Mar. 29, 1940: Served the within Sci. Fa. on Roger S. Bailey, owner or reputed owner, on Mar. 28, 1940 at 1:1 o'clock P.M., at No. 937½ Market St. City of Meadville, Pa., by handing him a true and attested copy thereof, and making contents of same known to him. So answers Nellie M. Shafer, Deputy Sh'f Harry B. Smith, Sheriff
Paul E. Thomas 85 85	School District of the City of Meadville vs Mary Basil, owner or reputed, owner Issued Dec. 29, 1939 Tax & writ 4/24/40 2.75 Plff. on lien 1.50 Shff. Smith 3.20	Of No. 172 February Term, 1935 T.L.D. Sci. Fa. sur School Tax Lien filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 133; Returnable within three months from date of issue. Writ ret'd Mar. 29 1940: Served the within Sci. Fa. on Mary Basil, owner or reputed owner on Mar. 27, 1940, at 11:55 A.M., at No. 1110 West Alley, City of Meadville, Pa., by handing her a true and attested copy thereof, and making contents of same known to her. So answers Harry B. Smith, Sheriff

FEBRUARY TERM, 1940

Paul E Thomas vs 86	School District of the City of Meadville vs Susan Butlers Heirs, owners or reputed owners. Issued Dec. 29, 1939 Tax & writ 4/24/40 pd. $ 2.75 Plff on lien 1.50 Shff. Smith 3.20 "J." page 60.	Of No. 179 February Term, 1935 TLDoc Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc No. 2, page 140; Returnable within three months from date of issue. Writ retd Mar. 29, 1940: Served the within Sci. Fa. personally on G.W. Jackson, terre tenant, on Mar. 27, 1940, at 4:40 P.M., at No. 219 Walnut Street, City of Meadville, by handing him a true and attested copy thereof, and making contents of same known to him. Nihil habet as to Susan Butler's heirs, owners or reputed owners. So answers Harry B. Smith, Sheriff
Paul E Thomas vs 87	School Distrct of the City of Meadville vs Sam Cona, owner or reputed owner. Issued Dec 29, 1939 Tax & writ 4/24/40 pd. $ 2.75 Plff on lien 1.50 Shff. Smith 3.20	Of No. 185 February Term, 1935 TLD Sci. Fa sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc No. 2, page 146; Returnable within three months from date of issue. Writ retd Mar. 29, 1940: Served the within Sci. Fa. personally on Mary C Cona, owner or reputed owner, on Mar. 28, 1940, at 11:50 o'clock A.M., at No. 86 Poplar Street, City of Meadville, Pa., by handing her a true and attested copy thereof, and making contents of same known to her. Nihil habet as to Sam Cona, owner or reputed owner. So answers Harry B Smith, Sheriff.

Paul E. Thomas
58
88

School District of the City of Meadville
vs
George Cutter, owner or reputed owner
Issued Dec. 29, 1939

	$ ¢
Tax & writ 4/24/40	2.75
Plff. on lien	1.50
Shff. Smith	3.20

Of No. 187 February Term, 1935 T.L.D. Sci. Fa. sur School Tax Lien filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 148; Returnable within three months from date of issue.

Writ retd. Mar. 29, 1940: Served the within Sci. Fa. on George Cutter, owner or reputed owner, on Mar. 28, 1940, at 10:20 A.M., at 710 Chestnut Street, City of Meadville, Pa., by handing him a true and attested copy thereof and making contents of same known to him. So answers Harry B. Smith, Sheriff.

Paul E. Thomas
59
89

School District of the City of Meadville
vs
DeVore and Hollenbaugh, owner or reputed owner.
Issued Dec. 29, 1939

	$ ¢
Tax & writ 4/24/40	2.75
Plff. on lien	1.50
Shff. Smith	3.20

Of No. 196 February Term, 1935, T.L.D. Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 157; Returnable within three months from date of issue.

Writ retd. Mar. 29, 1940: Served the within Sci. Fa. personally, on DeVore and Hollenbaugh, owners or reputed owners, by serving B.J. Hollenbaugh, one of the owners or reputed owners, on Mar. 27, 1940, at 4:00 P.M., at No. 374 Byllesby Av., City of Meadville, Pa., by handing to him a true and attested copy thereof, and making contents of same known to him. So answers Harry B. Smith, Sheriff.

"No" page 76

_____ 19____

This claim, having been paid in full, I direct the Prothonotary to mark the same Satisfied of Record.

_____
City Solicitor

FEBRUARY TERM, 1940

Paul E. Thomas 90	School District of the City of Meadville vs Mrs. Rose Duffy, owner or reputed owner. Issued Dec. 29, 1939 Tax & writ 4/24/40 pd. $2.75 Plff. on lien 1.50 Shff. Smith 3.20	Of No. 198 February Term, 1935 TLDoc Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 159; Returnable within three months from date of issue. Writ retd Mar. 29, 1940: Served the within Sci. Fa. personally on Rose Wheat, terretenant, on March 27, 1940, at 4:15 o'clock P.M. at No. 225 Lincoln Av., City of Meadville, Pa., by handing her a true, and attested copy thereof, and making contents of same known to her. Nihil habet as to Mrs. Rose Duffy, owner or reputed owner. So answers Harry B. Smith, Sheriff.
Paul E. Thomas 91	School District of the City of Meadville vs Alice M. Gourley, owner or reputed owner. Issued Dec 29, 1939 Tax & writ 4/24/40 pd. $2.75 Plff. on lien 1.50 Shff. Smith 3.20	Of No. 207 February Term, 1935 TLD Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 168; Returnable within three months from date of issue. Writ retd Mar. 29, 1940: I hereby certify and return, that finding no person in possession of the premises described in the within writ or any part thereof, I posted March 28, 1940, a true and attested copy of the within writ upon the most public part of said premises, and upon inquiry being unable to ascertain the name of any person or persons having an interest in the within described premises, or any part thereof. Nihil habet as to Alice M. Gourley, owner or reputed owner. So answers Harry B. Smith, Sheriff.

Paul E. Thomas 92 92	School District of the City of Meadville vs. Fred H. Green, owner or reputed owner Issued Dec. 29, 1939 $ ¢ Tax & writ 4/24/40 cd. 2.75 Plff. on lien 1.50 Shff. Smith 3.20	Of No. 208 February Term, 1935 TL Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934 and entered in Tax Lien Doc. No. 2, page 169; Returnable within three months from date of issue. Writ retd Mar. 29, 1940. Served the within Sci. Fa. on Fred H. Green, owner or reputed owner, by serving Evelyn Green, she being an adult member of the family, namely, his wife, on Mar. 27, 1940, at 2:40 o'clock P.M., at their residence No. 69 Lincoln Avenue, City of Meadville, Pa., by handing her a true and attested copy thereof, and making contents of same known to her. So answers, Harry B. Smith, Sheriff
Paul E. Thomas 93 93 Dickson Andrews City Solicitor of City of Meadville, present owner	School District of the City of Meadville vs. Otto Kohler Estate Owner or reputed owner Issued Dec. 29, 1939 $ ¢ Tax & writ 4/24/40 cd. 2.75 Plff. on lien 1.50	Of No. 214 February Term, 1935 TLD Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 175. Returnable within three months from date of issue. Writ returned: March 26, 1940. I hereby appear upon behalf of the City of Meadville, present owner of the premises described in the within writ, and accept due service of said writ. Dickson Andrews City Solicitor. Copy fr. 43

FEBRUARY TERM, 1940

Paul E. Thomas vs. 94	School District of the City of Meadville vs. Lawrence Leberman, owner or reputed owner Issued Dec. 29, 1939 Tax & writ 4/24/40 Pd. $ 2.75 Plff. on lien 1.50 Shff. Smith 3.20	Of No. 217 February Term 1935 TLD Sci. Fa. sur School Tax Lien, filed filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 178; Returnable within three months from date of issue. Writ retd Mar. 29, 1940: Served the within Sci. Fa. on Lawrence Leberman, owner or reputed owner, by serving Rachel Leberman, she being an adult member of the family, namely, his wife, on March 27, 1940 at 2:25 o'clock P.M., at their residence No. 630 Butler St. City of Meadville, Pa, by handing her a true and attested copy thereof, and making contents of same known to him. So answers, Harry B. Smith, Sheriff.
Paul E. Thomas vs. 95	School District of the City of Meadville vs. Mrs. Addie Maxwell, owner or reputed owner Issued Dec. 29, 1939 Tax & writ 4/24/40 Pd. 2.75 Plff. on lien 1.50 Shff. Smith 3.20	Of No. 240 February Term, 1935, TL Doc Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Docket No. 2, page 201; Returnable within three months from date of issue. Writ retd Mar. 29, 1940: Served the within Sci. Fa. personally on Mrs. Addie Maxwell, owner or reputed owner or reputed owner, by serving Stanley Maxwell, Executor of Mrs Addie Maxwell estate on March 27, 1940, at 1:25 o'clock P. M. at the City Building, Chestnut St. City of Meadville, Pa., by handing him a true and attested copy of the within writ, and making contents of same known to him. M. p. 58. So answers Harry B. Smith, Shff.

Paul E. Thomas
96

School District of the City of Meadville
vs.
Charles J. Michel, owner or reputed owner
Issued Dec. 29, 1939

Tax & writ 4/24/40	$2.75
Pff. on lien	1.50
Shff. Smith	3.20

Of No. 243 February Term, 1935 TLD
Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2 page 204, Returnable within three months from date of issue.
Writ ret'd Mar. 29, 1940: Served the within Scire Facias on Charles J. Michel, owner or reputed owner, on Mar. 27, 1940, at 10:40 o'cl A.M. at No. 346 North St. City of Meadville, Pa., by handing him a true and attested copy thereof, and and making contents of same known to him.
So answers Harry B. Smith, Shff.

Paul E. Thomas
97

School District of the City of Meadville
vs
Norman Miller, owner or reputed owner
Issued Dec. 29, 1939

Tax & writ 4/24/40	$2.75
Pff. on lien	1.50
Shff. Smith	3.20

Of No. 246 February Term, 1935 TLD
Sci. Fa sur School Tax Lien filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 207, Returnable within three months from date of issue.
Writ ret'd Mar. 29, 1940: Served the within Sci. Fa. on Norman Miller, owner or reputed owner by serving Norma Whipbeck, she being an adult member of the family, namely, his daughter, on Mar. 27, 1940, at 10:20 A.M., at No. 837 Liberty Street, City of Meadville, Pa., by handing her a true and attested copy thereof, and making contents of same known to her.
So answers Harry B. Smith, Sheriff

FEBRUARY TERM, 1940

Paul E. Thomas 98	School District of the City of Meadville vs. Orlando Morford Owner or reputed owner Issued Dec. 29, 1939 Tax writ 4/24/40 $2.75 Plff. on lien 1.50 Shff. Smith 3.20	Of No. 248 February Term, 1935 TL Doc Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934 and entered in Tax Lien Doc. No. 2, page 209; Returnable within three months from date of issue. Writ retd Mar. 29, 1940: I hereby certify and return, that finding no person in possession of the premises described in the within writ, or any part thereof, I posted March 27, 1940, a true and attested copy of the writ upon the most public part of the said premises, and upon inquiry being ~~made~~ unable to ascertain the name of any person or persons having an interest in the within described premises or any part thereof. Nihil habet as to Orlando Morford, owner or reputed owner. So answers Harry B. Smith, Sheriff.
Paul E. Thomas George J. Barco 99 And now, Jan. 14, 1946 satisfaction having been received the Prothonotary is authorized to satisfy this judgment of record. George J. Barco Solicitor	School District of the City of Meadville vs. Dexter Moffit, owner or reputed owner Issued Dec. 29, 1939 Tax & writ 4/24/40 $2.75 Plff. on lien 1.50 Shff. Smith 3.20	Of No. 249 February Term, 1935, TL Doc. Sci. Fa. sur School Tax Lien filed Dec. 31, 1934, and entered in Tax Lien Doc. No. 2, page 210; Returnable within three months from date of issue. Writ retd Mar. 29, 1940: Served the within Sci. Fa. on Dexter Moffit, owner or reputed owner, on Mar. 27, 1940, at 4:50 o'clock P.M., at the corner of Market and Willow Streets, City of Meadville, Pa., by handing him a true and attested copy thereof, and making contents of same known to him. So answers Harry B. Smith, Sheriff.

Paul E Thomas 100	School District of the City of Meadville vs. Helen Sackett, owner or reputed owner Issued Dec 29, 1939 Tax & writ 4/24/40 $2.75 Plff on lien 1.50 Shff Smith 3.20	Of No 261 February Term, 1935 TLD Sci Fa sur School Tax Lien, filed Dec 31, 1934, and entered in Tax Lien Doc No 2, page 222; Returnable within three months from date of issue. Writ retd Mar 29, 1940: I hereby certify and return, that finding no person in possession of the premises described in the within writ or any part thereof, I posted March 27, 1940, a true and attested copy of the within writ upon the most public part of said premises, and upon inquiry being unable to ascertain the name of any person or persons having an interest in the within described premises, or any part thereof. Nihil habet as to Helen Sackett, owner or reputed owner. So answers Harry B Smith, Sheriff

Paul E Thomas 101	School District of the City of Meadville vs. E. E. Waid, owner or reputed owner Issued Dec 29, 1939 Tax & writ 4/24/40 $2.75 Plff on lien 1.50 Shff Smith 3.20	Of No 267 February Term, 1935 TLD Sci Fa sur School Tax Lien filed Dec 31, 1934, and entered in Tax Lien Doc No 2, page 228; Returnable within three months from date of issue. Writ retd Mar 29, 1940: Served the within Sci Fa on E E Waid, owner or reputed owner, on March 27, 1940, at 3:40 o'clock P M, at No 657 Jefferson St, City of Meadville, Pa, by handing him a true and attested copy of said writ, and making contents of same known to him. So answers Harry B Smith, Sheriff

FEBRUARY TERM, 1940

Paul E. Thomas
George J. Barco
107

School District of the City of Meadville
vs
W. D. West Estate, owner or reputed owner.
Issued Dec. 29, 1939

Tax & writ 4/24/40	$ 2.75
Plff. on lien	1.50
Stiff Smith	3.20

Of No. 271 February Term, 1935 T. L. Doc.
Sci. Fa. sur School Tax Lien, filed Dec. 31, 1934, and entered in Tax Lien Docket No. 2, page 232. Returnable within three months from date of issue.
Writ retd. Mar. 29, 1940. Served the within Sci. Fa. on W. D. West Estate, owner or reputed owner, by serving Claude E. West, a son, terre tenant, on March 29, 1940, at 4:12 P. M., at No. 832 Market Street, City of Meadville, Pa., by handing him a true and attested copy thereof and making contents of same known to him. So answers,
Harry B. Smith, Sheriff

April 12 1946
This claim, having been paid in full, I direct the Prothonotary to mark the same Satisfied of Record.
George J. Barco
School City Solicitor

Walter J. McClintock 103	Laurence B. Starr, Paul R. Knapp, Clair A. Jackson, Harry W. Trask John F. Shanley 2nd Melvin T. Knapp, partners doing business as Geldin, Jackson & Starr, vs. Mabel Wareham Issued Dec. 30, 1939 # Tay & writ (paid) 3.00 Stff. Smith (pd) 2.90 Pro for C. paid 1-9-40 1.00	Foreign Attachment in Assumpsit, Returnable to next term. Bail to dissolve $270.00. To attach the goods and chattels, lands and tenements, leasehold rights, moneys, credits and personal property of the defendant in the hands and possession or control of F. Joseph Thomas, Michael Vatter, or in the hand and possession or control of any other person, persons, corporation, partnership, or association as garnishees. Dec. 30, 1939 Declaration filed. Writ returned by order of plaintiff's attorney. No service as to the within named defendant. So answers Feb. 12, 1940 Harry B. Smith, Sheriff

Now Jan. 9, 1940 the Prothonotary is directed to mark this case discontinued Walter J. McClintock atty for Plff.

Attest Jan. 9 1940.
Paul D. Slayton, Pro.

FEBRUARY TERM, 1940

Herbert A. Mook 104	Walter Ehrgott and L. R. Saveland d.b.a. Ehrgott-Saveland Company vs. John Swinkola Issued, Dec 30, 1939 $ / Tax & writ (paid) 3.00 Shff. Smith (paid) 5.30	Replevin for One (1) 1939 Plymouth Sedan automobile, Motor No. P-8132022B, Manufacturs No. 1325235, of the value of Seven Hundred and Four ($704.00), Returnable to the first Monday of February, 1940 Dec. 30 1939, Narr and affidavit of value filed. Dec. 30, 1939, Bond of plaintiff, with James E. Newsham as Surety, in the sum of $1408.00, approved and filed. Writ returned: Replevied as within commanded, Jan. 4, 1940, at 3:50 o'clock P.M., all of the within described goods and chattels, and summoned John Swinkola, the within named defendant, by handing to him personally in Hayfield Township, Crawford County, Pa., on Jan. 4, 1940, a true and attested copy of the within writ and making known to him the contents thereof. And on Jan. 5, 1940, the car was released by order of Attorney, Herbert A. Mook. So answers, Harry B. Smith, Sheriff.

Walter J. McClintock 105	In re condemnation of lands of De Witt Rust and Florence Rust in Woodcock Tp for Improvement of a section of State Highway Route 20662 through their property Entered Dec 30 1939 Pro Clayton $3.00	Agreement of Owners dated Dec 27, 1939, releasing the Commonwealth and all Political subdivisions thereof, etc from claim for damages by reason of said improvement.

Certified Juvenile Court
Auditor
Jeff. Township

FEBRUARY TERM, 1940

R. B. Mahany
106

The City of Titusville
vs
Louis Balatnic
owner or reputed owner
Issued Jan 2, 1940

	#
Tax & writ	2.75
Pltf. on lien	1.50
Shff. Smith (paid)	8.70

No. 1 February Term, 1935, T L Dkt.
Sci. Fa. sur City Tax Lien filed Dec 31, 1934, and entered in Tax Lien Docket No. 2, page 88; Returnable within three months from date of issuance.

Jan 2, 1940 Affidavit of City Treasurer filed.

Writ ret'd April 2, 1940: Served the within Sci. Fa. on Anna Shambaugh, terre tenant on March 8, 1940, at 1:30 P.M., at her residence No. 824 West Spring Street, City of Titusville, Crawford County, Pa. by handing to her a true and attested copy thereof and making contents of same known to her. Nihil habet as to Louis Balatnic, owner or reputed owner. So answers

Harry B. Smith, Sheriff.

FEBRUARY TERM, 1940

R. B. Mahany 107	The City of Titusville Vs. E. L. Wakefield, alias Edward Wakefield, and L. E. Wakefield, alias Lena Wakefield, owners or reputed owners. Entered Jan. 2 1940 # Jas Entry 2.75 Atty 3.00 Plff on lien 1.50	Of No. 37 February Term, 1935 T.L.D. Amicable Sci. Fa. and Confession of Judgmen sur City Tax Lien filed Dec. 31, 1934, and entered in City Lien Docket No. 2, page 124. It is agreed that an Amicable Scire Facias be entered upon the above City Tax Lien, with the same effect as if a Scire Facias in due and legal form had been duly issued by the Prothonotary and duly and legally served and returned by the Sheriff; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Thirty-five and one one hundredths Dollars (being the amount of the claim in said matter remaining unpaid), together with interest on said judgment from the 31st day of December, 1935, and costs of this action; and with release of all errors Debt #35.01 Int. from Dec. 31, 1935 Wa. pp. 147 & 132 Judgment Paul D. Slayton, Pro.

108

Springs-First National Bank in Cambridge Springs

vs.

F. A. Lang and Annie A. Lang.

Entered Jan. 2, 1940 #

✓ Pro. Slayton Pd. # 225

Of No. 257 November Term, 1934

Amicable Sci. Fa. sur Judgment.

It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon, in favor of the plaintiff and against the defendants, for the sum of Eleven Hundred twenty-five Dollars, being the amount of debt, interest to January 10, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt # 1125.00

Interest from Jan. 10, 1940

L. pages 75 & 22 Judgment

Paul D. Slayton, Pro.

February 3, 1944, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record. ✓

Springs First National Bank in Cambridge Springs

By E. E. Lundmark Cashier

Witness: Paul D. Slayton, Pro.

J. Perry Eckels

109

In the Matter of the Incorporation of Community Fire and Relief Association of Centerville Pa.

Entered Jan. 2, 1940

Pro. Slayton 2/7/40 Paid 4.00
Tribune Pub. Co 7.13
Titusville Herald 6.50

Jan. 2, 1940 Petition and Certificate for Incorporation filed.

Jan. 11, 1940, Certificate of availability of name and proofs of publication of notice, filed.

Decree: And now, January 11, 1940, the foregoing Charter and Certificate of Incorporation of the Community Fire and Relief Association of Centerville, Crawford County, Pennsylvania, having been presented to the, President Judge of the Court of Common Pleas of Crawford County, Pennsylvania, accompanied by due proofs of publication of the notice of this application for Charter, as required by the Act of Assembly in such cases made and provided, and it further appearing that the name of Community Fire and Relief Association has been filed, and recorded in the office of the Department of State of the Commonwealth of Pennsylvania in accordance with the requirements of the Act of Assembly, I hereby certify that I have examined the same and found the same to be in proper form and in compliance with the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania, entitled as Non Profit Corporation Law, approved 5th day, May, 1933, and its amendments thereto, and the same appearing to be lawful and not injurious to the community, I do hereby, on motion of J. Perry Eckels, attorney for petitioners order, adjudge and decree that the Charter of the Community Fire and Relief Association be and the same is hereby approved, and upon recording the same, the subscribers hereto, and their associates shall be a corporation by the name of the Community Fire and Relief Association for the purposes and upon the terms therein stated.

Per Curiam
O. Clare Kent, P.J.

Charles B. Stegner

110

Petition of Emma Marthaler Downie, wife of Thomas H. Downie to be decreed a Feme Sole Trader.
Entered Jan. 2, 1940
Pro. Clayton 2/26/40 Paid $5.00

Jan. 2, 1940, Petition presented in open Court and filed. "D" page 88.

And now, January 2, 1940, upon consideration of the foregoing petition and on motion of Charles B. Stegner attorney for petitioner, it is ordered and decreed that notice of the filing of said petition be given by advertisement once a week for three weeks in the Titusville Herald, stating that said petition will be considered by the Court on the 5th day of February, 1940 next, at 10 o'clock A.M., when all persons interested may show cause, if any they have, why the prayer of the petitioner should not be granted.

Per Curiam,
O. Clare Kent, P.J.

(See petition)

Feb. 5, 1940: Proof of Publication filed. (See paper filed).

Final Decree: And now, to-wit: this fifth day of February, A.D. 1940, after due hearing in open Court and publication, it appearing that Thomas H. Downie, the husband of Emma Marthaler Downie, has failed and neglected to support and maintain his said wife, and has separated and lived apart from her since February 1, 1932, it is ordered and decreed that the said Emma Marthaler Downie be and she is hereby declared to be a Femme Sole Trader with all the rights and privileges of such, under the Act of February 22, 1718, and her property, real or personal, however acquired, shall be subject to her own free and absolute disposal during her life and by will without any liability to be interfered with or obtained by her said husband, Thomas H. Downie, and in case of intestacy all of her property shall go to her next of kin as though he were previously dead, as provided in the Act of Assembly on May 28, 1915, P.L. 639, and that a certificate under the seal of the Court be granted her, that she shall be authorized to act, have the power and transact business, as provided by the Act of May 4, 1855.

Per Curiam.

Peters & Prather

F. Joseph Thomas

Murray H. Ellis and Anna E. Ellis
vs.
School District of West Mead Township, Crawford County, Pennsylvania
Entered Jan. 2, 1940

Pro. Slayton 4/8/40. Pd. 2.50
Pro. for Co. 12/22/41. Pd. 6.00
Atty. 3.00

Petition for Declaratory Judgment declaring and vesting the ownership and title of the premises known as "Ellis School, in West Mead Township (described at length in petition), to be in the petitioners, and declaring such other relief as petitioners may be entitled to and as the Court may deem meet and proper

Now, January 2, 1940, upon presentation of the foregoing petition and due consideration thereof, a rule is hereby granted upon the West Mead Township School District to show cause why title to the property described in the above petition should not be declared to be in the petitioners, and to show cause why the prayer of the said petition should not be granted, Returnable sec. reg. sec. leg.

Per Curiam.

Now January 2, 1940 Service is hereby accepted of a true and correct copy of the within.

(Signed) F. Joseph Thomas
Attorney for West Mead Tp. School Dist.

Declaratory Judgment
Paul D. Slayton, Pro
Corp. page 99

Feb. 17, 1941, Motion for appointment of a Board of View filed.

"Feby 17, 1941, For order entered on this motion, see Opinion filed this day."

(Sgd) O. Clare Kent, P.J.

Aug. 4, 1941, Viewers Report filed.

Order: Now, August 4, 1941, the within report filed in open court and confirmed nisi, confirmation to become final unless exceptions be filed or an appeal be taken as provided by law.

Per Curiam,
O. Clare Kent, P.J.

And now Dec 16 1941 received of School District of West Mead Township the sum of $800, being the amount of viewers award in full.

Peters & Prather
Paul D. Prather

(See petition)

Jan. 26, 1940, Answer and new matter filed. Service accepted by attorneys for petitioners.

On Argt. List for Feb. Term, 1940, No. 11

Feb. 26, 1940, Continued on application of plaintiffs Per Cur

May 9, 1940 Testimony on petition for declaratory judgment filed.

On Argument List for May Term, 1940, No. 20.

May 29, 1940. Argued.

Feb. 17, 1941. Opinion and order of Court filed.

Now, February 17, 1941, it is ordered, adjudged and decreed that the vested interests of the claimants in and to the "Ellis School" premises, after termination of its use for school purposes, are as follows: Murray H. Ellis, in fee simple, the undivided one half thereof subject to the dower interest of Anna E. Ellis, and Anna E. Ellis, in fee simple, the undivided one half thereof, and in addition thereto, her dower right in the interest of Murray H. Ellis.

And further, pursuant to claimants' motion filed in the case, Fred C. Kiebort, Sr., Esq., J. A. Stockton and Charles W. Ramsey, are appointed a Board of View to view the property, to hear testimony, to determine the value of the vested interests in said real estate, and to award to petitioners, his, her or their proportionate shares of such amount.

Exception is hereby noted and sealed for defendant school district.

(See opinion filed)

Per Curiam,
O. Clare Kent,
President Judge.

FEBRUARY TERM, 1940

Stuart A. Culbertson

112

Jane Slingluff,
Petitioner
vs.
Sarah Boyle and Sylvester Boyle, her husband; Elizabeth Johnson and Louis Johnson, also known as Lewis Johnson, her husband, and their heirs, executors, administrators and assigns, and all other persons and claimants having an apparent interest or title to land described in this petition,
Respondents
Entered Jan. 2, 1940

Pro. Slayton 2/24/40 Pd. 5.00
Shff. Smith (paid) 13.00
Pro. for Co. 12/28/44 Pd. 5.00
Atty. 3.00

Jan. 2, 1939, Petition for Rule to bring Ejectment for 142 acres and 11 perches of land more or less in East Mead Township (described at length in petition) presented in open Court and filed.

Order: And now, January 2, 1940, the foregoing petition having been presented in open court, and after investigation of the same having been taken thereon, and due proof of the allegations set forth in said petition having been made to the satisfaction of the Court, a rule is hereby granted upon said Sarah Boyle and Sylvester Boyle, her husband, and Elizabeth Johnson and Louis Johnson, also known as Lewis Johnson, her husband, their heirs, executors, administrators and assigns, and all other persons and claimants having an apparent interest or title to land described in the petition, but not having been in possession thereof for twenty-one years next preceding the date of application, to bring his, her or their action in ejectment within six months from the date of service of said rule upon him, her or them, or show cause why the same cannot be so brought.

It is further ordered and decreed that service of said rule be made upon the said parties claiming or having apparent interest in or title to the said real estate, by the Sheriff of Crawford County, by publication in the Tribune-Republican, a newspaper of general circulation published in Crawford County, once a week for six weeks, in accordance with the Act of Assembly in such cases made and provided, and the filing of the proof of publication of said rule shall constitute service of said rule upon the named defendants, with the same effect as if said Rule had been personally served upon the said defendants. Said Rule is returnable to the first Monday of March, 1940, at 9:30 o'clock A.M.

Per Curiam,
O. Clare Kent, P.J.

Continued on page 65½

(See petition filed)
Jan. 2, 1940 Rule issued.
Rule returned: I, Harry B. Smith, Sheriff, do hereby certify and return, that after diligent search and inquiry, I am unable to find the within named Sarah Boyle or

FEBRUARY TERM, 1940

Leland J. Culbertson	Petition of Dr. Cecil H. Hodgkinson for appointment of a Guardian for Edith Amy Hodgkinson of the City of Titusville, as a person of weak mind. Entered Jan. 2, 1940	Jan. 2, 1940 Petition presented in open Court and filed "Ho" page 32. And now, January 2, 1940, upon presentation of the within petition, Monday, February 5, 1940 at 9:30 o'clock A.M., is fixed for a hearing on the within petition, and it is directed that ten days' written notice thereof be given to the said Edith Amy Hodgkinson and to the other members of her family named in the above and foregoing petition, of the time, place and nature of the hearing. (See petition) Per Curiam.
113		
Nov. 18, 1940 Paid Conneaut Lake Breeze $4.00 advertising costs by check No. 791. P.D.S.		
✓	Pro. Slayton 4/27/40 Paid $5.00	
✓	Pro. S. 4/27/40 Pd. 2.50	
✓	Pro. for Acct. 11-14-40. Pd. 3.50	

Feb. 5, 1940: Affidavits as to Service filed. (See papers filed)

Feb. 5, 1940: Order filed: And now, February 5, 1940, after a careful consideration of the testimony taken in the within case and upon hearing and examination in open Court, the Court finds that Edith Amy Hodgkinson is not able owing to weakness of mind, to take care of and administer her own property, and Cecil H. Hodgkinson, M.D., is appointed as Guardian to take care of the property and estate of the said Edith Amy Hodgkinson, the said Cecil H. Hodgkinson to enter as Security, bond in the sum of $100.00 to be approved by this Court. Per Curiam.

Feb. 15, 1940, Bond of Cecil H. Hodgkinson, Guardian, with Kirk I. Thompson and E.F. Thompson as sureties, in the sum of $100.00, approved by the Court and filed.

Feb. 26, 1940, Petition of Guardian for sale of real estate, filed.

Order: And now, February 26, 1940, upon consideration of the foregoing petition and affidavits thereunto annexed and it appearing that the children of the said Edith Amy (Hayes) Hodgkinson have signified their consent to said sale by joining herein, and it further appearing that it will be to the interest and advantage of the estate of the said Edith Amy (Hayes) Hodgkinson, a person of weak mind that the premises described in the foregoing petition, to-wit:

All that certain piece or parcel of land situate in the Second Ward of the City of Meadville, County of Crawford and State of Pennsylvania, bounded and described as follows: On the north 131 feet by lot now or formerly of John Ward Emma Peters; on the east 52 feet 9 inches, more or less, by a 10 foot private alley; on the south 129 feet by a lot of Alice K. Hatch, and on the west 54 feet, more or less by Cullum Street; the south line thereof beginning on Cullum St.

(continued on page 682.)

FEBRUARY TERM, 1940

F. Joseph Thomas 114	Commonwealth of Pennsylvania, ex relatione Opal Lamenskie, mother of Ruth Elaine Edwards vs. Ira Slater and Hazel Slater, his wife Issued Jan. 2, 1940 Pro Slaytor 4/29/40 paid $5.00 Shff. Smith (paid) $9.90	Habeas Corpus for the custody of Ruth Elaine Edwards, born June 27, 1938, child of the relator, Opal Lamenskie And now, January 2, 1940 upon presentation and consideration of the within petition, it is ordered that a writ of Habeas Corpus be issued in this case as prayed for, and that the same be directed to Ira Slater and Hazel Slater, his wife, commanding them to bring forthwith before the Court the body of Ruth Elaine Edwards, and show cause, if any they have, why the said Ruth Elaine Edwards should not be relieved of said restraint, and why she should not be delivered into the custody of her mother, Opal Lamenskie. Returnable and for hearing at 10 o'clock A. M. on the 6th day of January, 1940. Per Curiam, Olalare Kent, P.J. April 22, 1940: Writ returned. "Served the within Habeas Corpus for Custody of Children, personally on Ira Slater and Hazel Slater, his wife, at their residence in Oil Creek Twp., Crawford County, Pa., on January 5, 1940, at 2:15 O'clock p. m. by handing to each of them a true and attested copy of the within Habeas Corpus for Custody of Children and making contents of same known to each of them." So answers, Harry B. Smith, Sheriff.

FEBRUARY TERM, 1940

Thomas & Kiebort

115

Feb 8, 1940: Received from Fred C. Kiebort, Esq., $35.00 costs. P.D.A. Atty

Rec'd of Paul Slayton Prothy., $25.00, Master's fee
Gerald D. Prather
Master
February 22nd 1940

Mar. 22, 1940, received of Pro Slayton $1.90 refund on costs.
Thomas & Kiebort

William H. Cunningham

~~Harriet~~ vs.

~~Margaret~~ Cunningham

Issued Jan. 2, 1940

Tax & writ paid 2-8-40	3.00
Stiff Smith Pd.	3.20
Gerald D. Prather, Master	25.00
Pro. for Co. 2-8-40 Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, Jan. 2, 1940 Subpoena awarded, returnable to first Monday of February, 1940

Per Curiam,
Odare Kent, P.J.

Feby. 8, 1940. Subpoena ret'd; Served the within Subpoena in Divorce on the Respondent, personally, on the 6th day of Jan. 1940 by delivering to her a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit. So answers,

Harry B. Smith, Sheriff.

And now, Feb. 8th, 1940, on presentation of within motion Gerald D. Prather, Esq., is appointed Master in the above case.

Per Curiam,

February 22, 1940, Testimony and Report of Master filed.

On Arg't List for Feb. Term, 1940, No. 35

March 1, 1940, After due consideration a divorce is decreed as prayed for.

Per Curiam.

Decree: And now, to-wit: March 1, 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said William H. Cunningham be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said William H. Cunningham the libellant, and the said Harriet Cunningham, the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

John H. Bozic
116

Margaret N. Kightlinger
vs.
Charles L. Kightlinger
Issued Jan. 2, 1940

Subpoena in Divorce

And now, Jan. 2, 1940, Subpoena awarded, returnable to the first Monday of February, 1940

Per Curiam
O. Clare Kent, P.J.

Tax & writ 2-13-40 Rd.	$ 3.00
Shff Smith (paid)	3.50
John Schuler, Master	25.00
Pro. for Co. 2-13-40 Pd.	8.10
Atty	3.00

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 13th day of January, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof as appears from affidavit as above. So answers

Harry B. Smith, Sheriff

Feby. 12, 1940, Rec'd $35.00 costs
P.D.S.

Feb. 20/40 Rec'd of Bro. Slaytus $25.00 master's fee in this case
John S. Schuler
master

And now, February 12th, 1940, John Schuler, Esq., is hereby appointed Master to take testimony in the above entitled case and make report to the Court.

Per Curiam,

3/21/40. Received from Carl Slaytus
John H. Bozic
Master

Feby. 20, 1940. Testimony and Report of Master filed.

On Arg. List for Feb. Term, 1940, No. 36

Order and Decree: Now, March 6, 1940, after due consideration, the libel is dismissed at cost of libellant.

Per Curiam,
O. Clare Kent, P.J.

FEBRUARY TERM, 1940

F. Joseph Thomas
117

Feby. 12, 1940 Rec'd $35.00 costs
P. D. S.

Feb 21 1940
Rec'd $25.00 on account
See.
Frank D. Prather.

March 27 1940 rec'd 91.90
refund
F. Jos. Thomas

Eleanor G. Cox
vs.
Bernard H. Cox
Issued Jan. 2, 1940

Tax writ (paid)	3.00
Sheriff Smith (pd.)	3.20
Frank D. Prather, Master	25.00
Pros. for Co. 2-13-40 Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, January 2, 1940, Subpoena awarded; Returnable to the first Monday of February, 1940

Per Curiam,
O. Clare Kent, P.J.

Feb. 5, 1940: Writ returned. Served the within Subpoena in Divorce on the Respondent, personally, on the 3rd day of January, 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof as appears from affidavit as attached. Do answers, Harry B. Smith, Sheriff.

And now, February 12, 1940, Frank D. Prather, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.

Per Curiam.

Feby. 21, 1940, Testimony and Report of Master filed.

On Argt. List for Feb. Term, 1940, No. 37.

March 1, 1940, After due consideration the Master's Report is approved and a divorce is decreed as prayed for and the respondent, Bernard H. Cox, is ordered to pay the cost of this proceeding.

Per Curiam

Decree: And now, to-wit: March 1, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Eleanor G. Cox be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Eleanor G. Cox, the libellant, and the said Bernard H. Cox, the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore, in pursuance of said marriage, shall cease and determine and the said libellant and respondent shall severally be at liberty to marry again as like manner as if they had never been married.

Per Curiam.

FEBRUARY TERM, 1940

F. Joseph Thomas 118	R. W. Spaulding and R. J. Spaulding, doing business as R. W. Spaulding & Son, vs. Frank Caravella and George N. Gorley Issued Jan. 3, 1940 Tax & writ (paid) $3.00 Stff Smith (pd) 4.60	Replevin for One (1) Rowe, Maroon colored, cigarette vending machine and the contents thereof, including two hundred five (205) packages of cigarettes, of the value of One hundred fifty ($150.00) Dollars; Returnable to the first Monday of February, 1940. Jan. 3, 1940 Noir and affidavit of value, filed. Jan. 3, 1940 Bond of plaintiff with United States Fidelity and Guaranty Company as surety, in the sum of $300.00, approved and filed.

Writ retd: Replevied as within commanded January 3, 1940, at 4:10 o'clock P.M., all of the within described goods and chattels, and summoned George N. Gorley January 3, 1940, at 4:40 P.M., at No. 315 North Street, City of Meadville, and Frank Caravella, at his home No. 175 Center Street, City of Meadville, on January 3, 1940, at 4:50 o'clock P.M., the within named defendants, by handing to each of them a true and attested copy of the within Replevin, and making known to each of them the contents thereof.

And on Jan. 8, 1940 the cigarette vending machine, together with 143 pks of cigarettes and $2.30 in cash, was turned over to the plaintiffs. So answers

Harry B. Smith, Sheriff

119	Merchants National Bank and Trust Company vs Sarah M. Ebert Entered Jan. 3, 1940 Pro. Slayton (pd by Pft) 2.25	Of No. 245 November Term, 1934 D.S.B. Amicable Scire Facias sur Judgment. It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Nine hundred fifty and no/100 Dollars, being the amount of debt, interest to Feb. 1, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. (Signed) Sarah M. Ebert (Seal) Debt $950.00 Int from Feb 1, 1940 Judgment Paul D. Slayton, Pro E. page 7.

March 28, 1941, Release from lien of the above judgment granted by plaintiff on 50 acres of land, more or less, situate in Summerhill Twp., Crawford County, Pa. Being the same land which was conveyed to Joseph Robinson by deed dated June 12, 1893 and recorded in Crawford County Deed Book "B-6, page 662. (See papers filed.)

July 18, 1944

Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Merchants Nat Bank & Trust Co

R. E. Burnham Atty in fact

Witness: Paul D. Slayton

FEBRUARY TERM, 1940

John H. Bozic
120

Fern Reil
vs.
Edward Reil
Issued Jan. 3, 1940

Tax & writ 4/11/40 Pd. 3.00
Shff. Smith (paid) 3.30
Pros for Co. 5-7-41. Pd. 1.00
Atty. 3.00

Subpoena in Divorce and for the custody Ronald E Reil, minor child of parties.

And now, January 3, 1940, the within petition presented in Open Court, and subpoena awarded, returnable to the first Monday of February, 1940.

Per Curiam,
O. Blare Kent, P.J.

Subpoena rcd. Served the within Subpoena in Divorce on the Respondent personally on the 6th day of Jan. 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.

So answers Harry B. Smith, Sheriff.

5/7/41. I am the above case settled & discontinued & record.

John H. Bozic
Coty. for Plaintiff

FEBRUARY TERM, 1940

F. Joseph Thomas
121

Feby. 12, 1940, Recd. $35.00 costs.
O. D. S.

Now Feb. 16, 1940 I hereby acknowledge receipt of 25.00 master's fee.
Kenneth W. Rice
Master.

Jan 27 1940 – Rec'd 1.90 refund
F. Jos. Thomas

Agnes D. Smock
vs.
James H. Smock
Issued Jan. 4, 1940

Tax & writ (paid)	3.00
Stff, Smith (paid)	3.50
Kenneth Rice, Master	25.00
Pro. for Co. 2-13-40 Dd.	8.10
Attys.	3.00

Subpoena in Divorce.
And now, January 4, 1940, Subpoena awarded, Returnable to the first Monday of February, 1940.
Per Curiam,
O. Clare Kent, PJ

Feb. 5, 1940: Writ returned: Served the within Subpoena in Divorce on the Respondent, personally, on the 6th day of January 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof, as appears from affidavit attached.
No answer, Harry B. Smith, Sheriff

And now, February 12, 1940, Kenneth Rice, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.
Per Curiam.

Feby. 16, 1940. Testimony and Report of Master filed.
On Arg. List for Feb. Term, 1940, No. 38.

March 1, 1940, After due consideration a divorce is decreed as prayed for and the respondent, James H. Smock, is ordered to pay the cost of this proceeding.
Per Curiam.

Decree: And now, to-wit: March 1, A. D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel be true, it is by the Court ordered, adjudged and decreed that the said Agnes D. Smock be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Agnes D. Smock, the libellant, and the said James H. Smock, the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

FEBRUARY TERM, 1940

F. Joseph Thomas
122
Kent + Kent
(See answer)

May 16, 1940. Recd $35.00 costs.
P.D.S.

And now May 24, 1940 I hereby waive the payment of the master's fee, and authorize the following to retain the same to F. Joseph Thomas atty for libellant
Arden D. Mook
Master

And now Nov 6, 1940 received of Paul Slagle Twenty-five and 00/100 dollars return of Master's fee
F. Joseph Thomas
atty

Nick Perrotto
vs.
Ethel Perrotto
Issued Jan. 4, 1940

Tax + writ (paid)	3.00
Shff. Smith (pd.)	3.50
Arden D. Mook, Master	25.00
Pro. for Co. 5/16/40. Pd	10.00
Atty.	3.00

Subpoena in Divorce.
And now, Jany 4, 1940, Subpoena awarded, Returnable to the first Monday of February 1940
Per Curiam,
O. Clare Kent, P.J.

January 11, 1940, Answer of respondent to Libel filed. Service accepted.

And now, Jany 11, 1940 upon presentation of petition of respondent and on due consideration thereof, a rule is granted upon Nick Perrotto, libellant above named, to show cause why alimony and counsel fees, payable to respondent, should not be allowed. (See paper filed) Per Curiam.

Same day Counsel for libellant accepts service of copy of petition.

Feb. 5, 1940: Writ returned: "Served the within Subpoena in Divorce on the Respondent, personally, on the 6th day of January, 1940, by delivering to her a true and attested copy of the same and making known to her the contents thereof as appears from affidavit attached." Deo answers, Harry B. Smith, Sheriff.

April 15, 1940, Leave granted to withdraw answer of respondent and the petition for alimony pendente and counsel fees.
Per Curiam,
O. Clare Kent, P.J.
(See paper filed)

And now, May 16, 1940, Arden D. Mook, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.
Per Curiam.

May 22, 1940, Answer of respondent to Libel, filed.

123

First National Bank
Meadville, Pa,
vs.
Stolz-Yaeger, Inc
Entered Jan. 5, 1940
Pro Slayton (paid) $2.25

Of No. 272 November Term, 1934 D.S.

Amicable Scire Facias sur Judgment

It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county and duly so returned: and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of One Hundred Eighty-three and 50/100 Dollars, being the amount of debt, interest to January 5, 1940 and costs, now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $183.50
Interest from Jan. 5, 1940.
Judgment
Paul D Slayton, Pro

Corp. page 106

Apl. 21, 1941, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

First National Bank
Jesse W. Hunter atty in fact

FEBRUARY TERM, 1940

12 ⁼

124

Eland Irons, Executor of Phebe Manning, Estate vs. Debt
Entered Jan. 6, 1940
William A. Neel & Mrs. Lillie M. Neel
Entered Jan. 6, 1940

Pro Slayton (paid) $2.25
Plff on orig 1.75

Of No. 247 November Term, 1934, D. & B. Doc.
Amicable Sci Fa sur Judgment
It is agreed, That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Thirty-one and 20/100 Dollars, being the amount of debt, interest to Jan. 3, 1934, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $31.20
Interest from Jan. 3, 1934
Judgment

"N", pages 59 & 60

Paul D. Slaylon, Prothy

Sept. 13, 1943 Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.

Eland Irons Exr.

Phebe Manning Est.

Witness: Paul D. Slaylon, Pro.

125

Fred Wellman
R.D. #4, Centerville, Pa.
vs.
Elmer Obert
Entered Jan. 6, 1940

Pro. Slayton (paid) $2.25
Pltff on Orig'l 1.75

Of No. 170 May Term, 1934, D. & C.
Amicable Sci. Fa. sur Judgment
It is agreed, That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Four Hundred and no/100 Dollars, being the amount of debt, interest to April 26, 1939, and costs, now due on the original judgment, with all the waiver and conditions contained in the original judgment note. (Signed by defendant.)

Debt $400.00
Interest from April 26, 1939
Judgment
Paul D. Slayton, Pro

"O" page 25.

1 Dec 13", 1941. Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Fered Wellman

Witness: Paul D. Slayton

FEBRUARY TERM, 1940

126

First National Bank of Albion, Pa.
vs
G. C. Copeland
Entered Jan. 8, 1940

Pro. Slayton (paid) 2.25

Total of former costs 12.00

Of No. 145 February Term, 1935 Aff. Deb.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff, and against the defendant, for the sum of Two hundred thirty-four and 17/100 Dollars, being the amount of debt, interest to Nov. 11, 1939 and costs now due on the original judgment with all the waivers and conditions contained in the original judgment note.

Debt $234.17
Int. from Nov. 11, 1939
Judgment
Paul D. Slayton, Pro.

Cs. page 71.

Kenneth W. Rice

127

Donald C. Thompson, attest 2-8-1940.

Eleanor Deitz, a minor, by August Deitz, her Guardian and August Deitz, in his own right,

vs.

Paul Sivik, Cecil Stallsmith, addl. Deft

Issued Jan. 9, 1940

Tax writ (paid)	2.00
Sheff. Smith (ppd)	3.20
Pro. Slayton fee 8-21-15 Cts. paid	15.70
Jury-fee 2/25/42 Ct.	4.00
Atty	3.00
Pro. Sat. & Ext 8-21-51 Ct.	1.50

Summons in Trespass, Returnable to first Monday of February next

Feb. 14, 1940, Statement of claim filed. Service accepted by Defts atty

Writ retd: Served the within Summons personally on Paul Sivik on January 10, 1940, at 1:15 o'clock P.M., at No. 360 Center Street, City of Meadville, Pa., by handing to him a true and attested copy of the same, and making contents of same known to him.

So answers Harry B. Smith, Shff

Feb. 29, 1940. Affidavit of defense filed. Service accepted

April 1, 1940, Petition of Deft. filed.

And now, April 1, 1940, the petition of Paul Sivik to join Cecil Stallsmith as an additional defendant in the above entitled action is granted, and Cecil Stallsmith is hereby joined as an additional defendant. Now therefore, we command you, the Sheriff of the County of Crawford to direct Cecil Stallsmith, of Hayfield Township, Crawford County, Penna, to file an answer in the office of the Prothonotary of the Court of Common Pleas of Crawford County, in the above entitled action, within twenty days after service upon him of a copy of this petition and order and of copies of all pleadings heretofore filed therein, if service was made within your county, or within thirty days of service if service was made within any other county of this Commonwealth.

Per Curiam,
O. Clare Kent,
President Judge.

(See paper filed)

(Certified copy of petition and all pleadings issued to Sheriff.)

April 11, 1940, Service of copy of petition and order to bring in additional defendant accepted by plaintiff's attorney.

May 13, 1940 Answer of additional defendant filed. Service accepted by Attys for Plff. and Deft.

June 11, 1940, Amended answer of additional deft. filed Service accepted by Plffs Atty ~~filed~~ June 17, 1940, Affd. of service filed.

And now, to wit, June 24, 1940, upon cause shown, the plaintiffs are hereby granted twenty days from the date hereof in which to file a supplementary statement of their cause against the additional defendant.

Per Curiam,
O. Clare Kent, P.J.

(See paper filed)

July 2, 1940. Supplemental Statement of claim filed service accepted.

July 2, 1940 Amended Statement of claim filed. Service accepted

July 24, 1940. Affidavit of defense to Supplemental Statement, filed.

May 13-1940 Fra. E. Mayer, Attorney for Additional Defendant Answer filed. Fra. E. Mayer

Aug. 21, 1951

Received satisfaction in full of the above Judgement, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Kenneth W. Rice
Atty for Plaintiff

Witness: Paul D. Slayton

Continued on page 645

FEBRUARY TERM, 1940

F. Joseph Thomas
128

Feby. 20, 1940. Recd. $35.00 cost. Atty.
R.D.S.
Master for L.J.C.

Jan 27/1940
Rec'd 1.10 myself
F Jos Thomas

Max V. Tinker
vs.
Ruth A. Tinker
Issued Jan. 11, 1940
#

Tax Writ (paid)	3.00
Shff. Smith (paid)	3.80
Leland J. Culbertson, Master	25.00
Pro. for Co. 2-20-40 cd.	8.10
Atty.	3.00

Subpoena in Divorce
And now, January 11, 1940, Subpoena awarded; returnable to the second Monday of February, 1940.
Per Curiam,
O. Clare Kent, P.J.

Feb. 5, 1940: Writ returned: "Served the within Subpoena in Divorce on the Respondent, personally, on the 15th day of January, 1940, by delivering to her a true and attested copy of the same and making known to her the contents thereof as appears from affidavit attached". So answers, Harry B. Smith, Shff.

And now, February 20, 1940, Leland J. Culbertson, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.
Per Curiam.

Feby. 24, 1940. Testimony and Report of Master filed.
On Argt. List for Feb. Term, 1940, No. 39.

March 1, 1940, After due consideration a divorce is decreed as prayed for.
Per Curiam.

Decree: And now, to-wit: March 1, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed, that the said Max V. Tinker be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said Max V. Tinker, the libellant, and the said Ruth A. Tinker, the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

Herbert A. Mook
129

Giva Belle Lafferty
vs.
Otto L. Lafferty
Issued Jan. 11, 1940

Tax Lenty paid 4/22/40 3.00
Shff Smith Pd. 1.60
Shff. Smith Alias Pd. 1.60
Shff. Smith, Proc. Pd. 11.15
John Schuler, Master 25.00
Pro. for Co. 5/22/40, Pd. 10.00
Atty. 3.00
55.35

May 13, 1940, Recd. $35.00 costs. P. D. B.

May 24, 1940 Recd of Pro. Shaffer $25.00 masters fee in this case
John Schuler Master

Subpoena in Divorce and for custody of Meredith B. Lafferty, aged 14 years and Caroline D. Lafferty aged 10 years - minor children of the parties.

And now, January 11, 1940, the within petition presented in open Court, and Subpoena awarded; returnable to the Second Monday of February, 1940

Per Curiam,
O. Clare Kent, P.J.

Subpoena retd: And now, Feb. 12, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff.

Feb. 28, 1940, Alias Subpoena in Divorce issued, returnable to First Monday of April, 1940

Alias Subpoena retd: And now, April 1, 1940, writ returned: Non Est inventus, as to the within named respondant. So answers,

Harry B. Smith, Sheriff.

April 1, 1940, Order for proclamation issued; returnable second Monday of May next,

May 22, 1940, Proc. retd; I do hereby certify and make return that I have made proclamation in the above entitled case according to law, and caused the same to be published in the Enterprise News, Cambridge Springs, Pa. a newspaper printed within my bailiwick once a week for three successive weeks prior prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached,

So answers,
Harry B. Smith, Sheriff

And now, May 13, 1940, John Schuler, Esq., is hereby appointed Master to take testimony in the above entitled case and make report thereof to this Court.

Per Curiam.

May 24, 1940, Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 51.

Now June 18, 1940 after due consideration a divorce is decreed as prayed for, the respondent is ordered to pay the cost of this proceeding and the custody of minor children, Meredith B. and Caroline D. Lafferty, is awarded to libellant, Giva Belle Lafferty,

Per Curiam,

Decree: And now, to-wit: June 18, 1940 A.D., this cause came on to be heard on libel subpoena, subsequent proceedings, and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Giva Belle Lafferty, the libellant, and the said Otto L. Lafferty, the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any

(Continued on Margin)

time heretofore in pursuance of said marriage, shall cease and determine, and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. It is further ordered and decreed that the custody of minor children, Meredith B. and Caroline D. Lafferty is awarded to libellant, Giva Belle Lafferty.

Per Curiam.

FEBRUARY TERM, 1940

Charles B. Stegner J. Perry Eckels 130	In the Matter of the Appeal of George E. Nagel, Jr. from the assessment of the Board of Tax Revision and Appeals of the City of Titusville, Pa. Entered Jan. 11, 1940 Pro. Slaytor pd. 7/17/40-$3.00	Jan. 11, 1940, Appeal presented in open Court and filed. And now, January 11, 1940, the within appeal is allowed, and hearing on same is set for February 6, 1940, at 9:30 A.M., Notice to the Board of Revision of Taxes and Appeals of the City of Titusville to be made according to law. (See paper filed.) Per Curiam

FEBRUARY TERM, 1940

Charles B. Stegner J. Perry Eckels 131	In the Matter of the Appeal of Florence O McKelvy from the assessment of the Board of Tax Revision and Appeals of the City of Titusville Entered Jan. 11, 1940 $ Pro. Slayton pd. 7/19/40-3.00	Jan. 11, 1940. Appeal presented in open Court and filed. And now, January 11, 1940, the within appeal is allowed, and hearing on same is set for February 6, 1940, at 9:30 A.M. Notice to the Board of Revision of Taxes and Appeals of the City of Titusville to be made according to law. (See paper filed) Per Curiam

FEBRUARY TERM, 1940

Charles B Slayton J. Perry Eckels 132	In the Matter of the appeal of John B. Chick and Alice L Chick from the assessment of the Board of Tax Revision and Appeals of the City of Titusville Entered Jan. 11, 1940 Pro. Slayton pd. 7/19/40 3.00	Jan. 11, 1940, Appeal presented in open Court and filed. And now, January 11, 1940, the within appeal is allowed, and hearing on same is set for February 6, 1940, at 9:30 A.M. Notice to the Board of Revision of Taxes and Appeals of the City of Titusville, to be made according to law. (See paper filed) Per Curiam

Charles B. Stegner J. Perry Eckels 133	In the Matter of the Appeal of Max Young and Mollie Young from the assessment of the Board of Tax Revision and Appeals of the City of Titusville Entered Jan. 11, 1940 Pro. Slayton pd. 7/19/48 $3.00	Jan. 11, 1940, Appeal presented in open Court and filed. And now, January 11, 1940, the within appeal is allowed, and hearing on same is set for February 6, 1940, at 9:30 A.M. Notice to the Board of Revision of Taxes and Appeals, to be made according to law. (See paper filed) Per Curiam

Charles B. Stegner J. Berry Eckles 134	In the Matter of the appeal of Frank B. Smith and Lena W. Smith, his wife, from the assessment of the Board of Tax Revision and Appeals of the City of Titusville, Pa. Entered Jan. 11, 1940 Pro. Clayton Pd. 7/19/40 - $3.00	January 11, 1940, Appeal presented in open court and filed. And now, January 11, 1940, the within appeal is allowed, and hearing on same is set for February 6, 1940, at 9:30 A.M. Notice to the Board of Revision of Taxes and Appeals of the City of Titusville, to be made according to law (See paper filed) Per Curiam

Charles B. Stegner J. Gerry Eckels 135	In the Matter of the Appeal of C.B. Collins from the assessment of the Board of Tax Revision and Appeals of the City of Titusville, Pa. Entered Jan. 11, 1940 Pro. Slayton pd. 1/19/40 $3.00	Jan. 11, 1940. Appeal presented in Open Court and filed. And now, January 11, 1940, the within appeal is allowed, and hearing on same is set for February 6, 1940, at 9:30 A.M.; Notice to the Board of Revision of Taxes and Appeals of the City of Titusville, to be made according to law. (See paper filed) Per Curiam.

Charles B. Stegner J. Perry Eckels 136	In the Matter of the Appeal of C.P. Collins from the assessment of the Board of Tax Revision and Appeals of the City of Titusville, Pa. Entered Jan. 11, 1940 Pro. Slayton pd. 7/17/40 $3.00	Jan. 11, 1940, Appeal presented in open court and filed. And now, January 11, 1940 the within appeal is allowed and hearing on same is set for February 6, 1940, at 9:30 A.M. Notice to the Board of Revision of Taxes and Appeals of the City of Titusville to be made according to law. (See paper filed) Per Curiam

Stuart A Culbertson 137 F. Joseph Thomas 2/14/40 (Sesand)	Homer H Baird and Iva Baird, his wife vs. School District of West Mead Township, Crawford County, Penna Entered Jan 11, 1940 Pro Shayton 1-16-40 Paid $2.50	Petition for Declaratory Judgment declaring and vesting the title and ownership of the premises known as the Bytam School in West Mead Township, to be in the petitioners, as set forth in petition And now, January 11, 1940, upon presentation of the foregoing petition, and due consideration thereof, a rule is hereby granted upon the West Mead Township School District to show cause why title to the property described in the above petition should not be declared to be in the petitioners and to show cause why the prayer of the said petition should not be granted. Returnable sec. leg., sec. leg. All proceedings on the above mentioned sale to be stayed pending the determination of this rule. (See paper filed.) Per Curiam. On Argt. List for Feb. Term, 1940, No. 9. Feb. 14, 1940, Answer of Deft. filed. (Service accepted) Feb. 26, 1940, Continued by agreement of counsel. Per Cur. On Argument List for May Term, 1940, No. 21. May 28, 1940, Argued.

FEBRUARY TERM, 1940

Stuart A. Culbertson.
Raymond C. Miller
for Gertrude O. Hill

138

F. Joseph Thomas
1/24/40 (See ensuing)

Elizabeth Battles, ~~and~~ Darrel Battles, and Mrs. Leona Epping and ~~Gertrude O. Hill~~
vs.
School District of West Mead Township, Crawford County, Penna.
Entered Jan. 11, 1940
Pro. Blayton 1-16-40 rd. $2.50

Petition for Declaratory Judgment, declaring and vesting the ownership and title of the premises known as the Orris School to be in petitioners, as set forth in petition.

And now, January 11, 1940, upon presentation of the foregoing petition and due consideration thereof, a rule is hereby granted upon the West Mead Township School District to show cause why title to the property described in the above petition should not be declared to be in the petitioners, and to show cause why the prayer of the said petition should not be granted; Returnable sec. reg. sec. leg. All proceedings on the above mentioned sale to be stayed until the determination of this rule.

(See paper filed)

Per Curiam.

Feb. 5, 1940: Petition to join ~~add~~ Party in a Petition for Declaratory Judgment filed. (See papers filed).

Order: Now, February 5, 1940, upon consideration of the within petition, the Prothonotary is directed to add the name of Mrs. Gertrude O. Hill, as a party plaintiff and also as a party defendant in the above entitled action. Per Curiam.

Feb. 5, 1940: Acceptance of Service of above petition made by Stuart A. Culbertson and F. Joseph Thomas, Esqs.

On Argt. List for Feb. Term, 1940, No. 8.

Feb. 14, 1940, Answer of Deft. filed. Service accepted.

Feb. 26, 1940, Continued by agreement of Counsel.

On Argument List for May Term, 1940, No. 23.

May 28, 1940, Argued

Stuart A. Culbertson	Ben E. Baird and Aurelia Baird, his wife,	Petition for Declaratory Judgment declaring and vesting the ownership and title of the premises known as the Roff School to be in petitioners as set forth in the petition.
	vs.	
139		
J. Joseph Thomas (See answer)	School District of West Mead Township, Crawford County, Penna.	And now, January 11, 1940, upon presentation of the foregoing petition and due consideration thereof, a rule is hereby granted upon the West Mead Township School District to show cause why title to the property described in the above petition should not be declared to be in the petitioners, and to show cause why the prayer of the said petition should not be granted. Returnable sec reg, sec leg. All proceedings on the above mentioned sale to be stayed until the determination of this rule.
2/14/40	Entered Jan. 11, 1940	
	Pro. Slayton 1-16-40 cd. $2.50	

(See paper filed) Per Curiam.

On Argt. List for Feb. Term, 1940, No. 10.

Feb. 14, 1940 Answer of Deft. filed. Service accepted.

Feb. 26, 1940, Continued by agreement of Counsel. Per Cur.

On Argument List for May Term, 1940, No. 22.

May 28, 1940, Argued

Kent + Kent

140

Petition of Virginia Hecker, widow, for Satisfaction of a Mortgage, dated May 19, 1910, given by Virginia Hecker and William Hecker, her husband, to Mary A. Birch, and recorded in Mortgage Book 80 page 140.

Entered Jan. 11, 1940

Pro. Slayton 2-12-40 Paid $ 5.00

Shff. Smith (paid) 3.75

Jan. 11, 1940 Petition presented in open Court and filed.

And now, to wit, January 11, 1940, upon presentation of the within petition in open Court, and upon due consideration thereof, the Sheriff of Crawford County is hereby directed to serve a notice, stating the facts set forth in the foregoing petition upon Mary A. Birch or any other holder or holders of said mortgage, assignees, heirs, or legal representatives, if to be found in the said County, and in case the said parties aforesaid can not be found in the said County, then to give public notice as aforesaid in one newspaper published within the said County once a week for four weeks successively, requiring the said parties to appear in Court, on Monday, February 12, 1940, at 9:30 o'clock A.M., and answer the petition as aforesaid, and in the event no appearance be entered or answer filed thereto, by any holder, claimant, assignee heir or legal representative as required, then the Court will decree satisfaction of said mortgage upon the record, as prayed for.

(See petition filed)

Per Curiam.

Jan. 11, 1940, Order issued to Sheriff.

Feb 12, 1940, Sheriffs return and Proof of publication filed.

Final Decree: And now, February 12, 1940, It appearing to the Court from the Sheriffs return, that he was unable to find the said Mary A. Birch, or her legal representative, or whoever may be the holder or holders of the said mortgage, and that a notice of the facts set forth in the petition was advertised once a week for four successive weeks in the Tribune-Republican, a newspaper published within the County, which fact is further shown by a proof of publication annexed to the Sheriffs return, and the Court being satisfied of the truth of the allegations of the petition, It is ordered and decreed that all that certain piece or parcel of land situate in West Mead Township, Crawford County, Pennsylvania, bounded and described, as follows, to wit:

On the north by land formerly of William McArthur now of George Walker; on the east by land of J. Wilson Hamilton and Horatio Van Horne; on the south by land formerly of Frank Hogue and Jesse Hemsley; on the west by a public road; containing twenty-five (25) acres, more or less,

e released and discharged
om the lien of the
ortgage given and execut-
by Virginia Hecker, and
illiam Hecker, her
sband, dated May 19,
0, and recorded May
1910, in Mortgage Book
page 140, in the office
the Recorder of Deeds
Crawford County,
nnsylvania, and from
yment thereof, and
at a copy of this decree
this case shall be
tered of record in the
fice of the Recorder
Deeds of Crawford
unty for recording
hich decree shall
nd hereafter operate
s a release and dis-
arge of said land from
ll encumbrance
the said mortgage
nd shall bar all action

Per Curiam

O. Blare Kent

P.J.

Feb. 15, 1940 Certified
opy of decree issued
to Recorder.

Leland J. Culbertson 141	Petition of Erby A. Hatch for appointment of a Guardian for Emma Jane Hatch Hall of Cambridge Springs, Pa., as a person of weak mind. Entered Jan. 11, 1940	Jan. 11, 1940, Petition presented in open Court and filed. "A" page 145. And now, January 11, 1940, upon presentation of the within petition first Monday of February, 1940, at 9:30 o'clock A.M., is fixed for a hearing on the within application; And it is directed that ten days written notice thereof be given to the said Emma Jane Hatch Hall and to the other members of her family named in the above and foregoing petition, of the time, place and nature of the hearing. (See petition) Per Curiam.
June 18, 1943, Paid Enterprise News, Cambridge Springs, Pa., $4.00 advertising costs by Check No. 1424. P. D. S.	Pro. Slayton 4/22/40 Paid 5.00 Pro. filing of O & discharge 6-18-43 Paid 9.00 Pro. copy of disch. 1-21-44 Pd. 1.00 Pro. " " " 4-13-44 Pd. 1.00	

Feb. 5, 1940: Affidavits as to Service filed (see papers filed).

Order: And now, February 5, 1940, after a careful consideration of the testimony taken in the within case and upon hearing and examination in open Court, the Court finds that Emma Jane Hatch Hall is not able, owing to weakness of mind, to take care of and administer her own property, and Erby A. Hatch is appointed as Guardian to take care of the property and estate of the said Emma Jane Hatch Hall, the said Erby A. Hatch to enter as security, bond in the sum of $1000.00 to be approved by this Court.

Per Curiam.

Feb. 26, 1940, Bond of Erby A. Hatch, Guardian, with the Fidelity and Casualty Co. of N.Y., as surety, in the sum of $1000.00, approved by the Court and filed.

Aug. 9, 1941, Inventory and appraisement of the personal estate of ward, amounting to $363.57, filed.

June 18, 1943, Final Account of Guardian filed showing balance due estate $1,247.81. Same day advertisement of notice of filing account mailed to Enterprise News, Cambridge Springs, Pa. setting forth that said account will be confirmed nisi on the second Monday of July next; and if no exceptions are filed within ten days of nisi confirmation said account will be confirmed absolutely.

July 12, 1943, Proof of publication filed.

And now, July 23, 1943, no exceptions having been filed to the above Final Account, same is confirmed absolutely.

Paul D. Slayton,
Prothonotary.

Sept. 7, 1943 Petition for Discharge filed.

Order: Now, September 7, 1943, upon presentation of the foregoing petition and in consideration thereof it appearing that the said Erby Hatch has filed his final account as Guardian of the Estate of Emma Jane Hatch Hall and has transferred the balance in said Estate to himself as Executor of her Estate, the said Erby Hatch and his surety, the Fidelity and Casualty Company of Maryland, are hereby released from all further liability by reason of his guardianship of the Estate of Emma Jane Hatch Hall, a person of weak mind.

Per Curiam,
O. Clare Kent
President Judge

(Continued on margin)

FEBRUARY TERM, 1940

Stuart A. Culbertson 142	Madalene Canti vs. Catherine Rapp. Entered Jan. 12, 1940	Of No. 295 November Term, 1934, D.S.B. Amicable Scire Facias sur Judgment. It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Eight hundred forty-seven Dollars, being the amount of debt, interest to January 23, 1940, and costs now due on the original judgment [and costs of this revival]; with all the waivers and conditions contained in the original judgment note
	Pro. Slayton (Atty) $2.25 Atty 3.00 Note: $7.00 costs included in debt.	Debt $847.00 Int. from Jan. 23, 1940 Judgment Paul D. Slayton, Pro.

R page 104

Jan. 10, 1945, Am. Sci. Fa. to No. 140 Feby. Term, 1945.

F. Joseph Thomas
143

Margaret K. Merritt
vs.
Lester A. Merritt
Issued Jan. 12, 1940

Tax & writ (paid) $ 3.00
Sheriff Smith (pd.) 5.50
Otto A. Stolz, Master 25.00
Pro. for Co. 2-16-40 Pd. 8.10
Atty. 3.00
Gertrude J. Thomas, Steno. 2.50

Feby. 16, 1940 Recd. $35.00 costs.
P. A. S.

Feby 21- 1940. Recd Master's fee
Otto A Stolz

Mar 2 1940
Rec'd 1.90 refund
F. Joe Thomas

Subpoena in Divorce and for the custody of two minor children Richard Clair Merritt 11 years of age and John Lee Merritt, 9 years of age.

And now, Janry 15th, 1940, Subpoena awarded, Returnable to the second Monday of February, 1940.

Per Curiam,
O. Clare Kent,
President Judge.

Feb. 5, 1940: Writ returned: Served the within Subpoena in Divorce on the Respondent, personally, on the 22nd day of January, 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof as appears from affidavit annexed. Do. and. H. B. Smith, Sh.

And now, February 15, 1940, Otto A. Stolz, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court. Per Curiam.

Feby. 21, 1940. Testimony and Report of Master filed.

On Arg. List for Feb. Term, 1940, No. 40.

March 1, 1940, After due consideration a divorce is decreed as prayed for, the respondent Lester A. Merritt is ordered to pay the cost of this proceeding and the custody of minor children, Richard Clair and John Lee Merritt, is awarded to libellant, Margaret K. Merritt.

Per Curiam,

Decree: And now, to-wit: March 1, AD 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record and it appearing to the Court that the causes of fact in said libel are true, it is by the Court ordered, adjudged and decreed that the said Margaret K. Merritt be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Margaret K. Merritt, the libellant, and the said Lester A. Merritt, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. It is further ordered and decreed that the custody of minor children, Richard Clair and John Lee Merritt, is awarded to libellant, Margaret K. Merritt.

Per Curiam

FEBRUARY TERM, 1940

J. Perry Eckels
144
Stuart A. Culbertson

Robert Graham
vs.
Orrin George
Entered Jan. 16, 1940

Tax & entry (Dept Pd)	1.50
Costs on Trans by Pltf	24.55
Pro. S. 7-2-41, Pd.	1.50
Atty.	3.00

Appeal by Dept from Judgment of S. G. MacFarlane, Alderman Jan. 16, 1940, J. Perry Eckels, Esq., Atty for Plff. accepts notice of taking appeal in this case (See paper filed)

And now, July 2, 1941, on motion of defendant's attorney and in accordance with Rules of Court judgment of non pros is entered against the plaintiff for want of a Statement and affidavit of Claim.

Judgment of Non Pros
Paul D. Slayton,
Prothonotary.

Raymond C. Miller

145

Petition of Roland Shaffer, Mrs. Cecil Moyer and Emery Shaffer for Trustee for estate of Arthur Shaffer formerly of Meadville, Pa., an alleged absentee.
Entered Jan. 17, 1940
Pro. Slayton (paid) $5.00
Pro. S. 9-29-41. Pd. 8.00

Jan. 17, 1940. Petition presented to Hon. O. Clare Kent, P. J. and filed.
And now, this 17th day of January, 1940, after consideration of the within petition, the 27th day of February, 1940, at 9:30 A. M. E. S. T. is set for a hearing, at which time evidence will be taken to determine whether or not a Trustee should be appointed for the estate of Arthur Shaffer, the alleged absentee. Previous to said date of hearing a notice of the fact of petitioners application be given to Arthur Shaffer by advertisement inserted in a newspaper of general circulation published in Crawford County, Pennsylvania, once a week for three successive weeks, together with notice that on the day certain so as aforesaid fixed, the Court will hear evidence concerning the alleged absence of the said Arthur Shaffer; the last publication to be at least six days prior to the day fixed for hearing.
(See petition filed)
Per Curiam,
O. Clare Kent, P. J.

Feb. 27, 1940. Proof of publication of notice to respondent, and affidavits of Roland Shaffer and Emery Shaffer filed.

Order: And now, this 15th day of March, 1940, after due hearing, Arthur Shaffer is adjudicated an absentee from his last known place of residence, to-wit: 275 Walnut Street, Meadville, Crawford County, Pennsylvania; and J. H. Allison, of the Borough of Cochranton, Crawford County, Pennsylvania, is appointed Trustee of the estate of Arthur Shaffer, absentee, with bond fixed in the sum of One thousand Dollars for the protection of the estate, and conditioned for the said Trustee's faithful performance of his duties and the faithful application of the monies which may come into his hands, and such Trustee shall file in the office of the Clerk of the Court of Common Pleas of Crawford County such account, and at such periods as the Court shall from time to time determine.
(See paper filed)
Per Curiam,
O. Clare Kent, P. J.

Record continued on page 650.

May 6, 1940. Petition of Trustee for leave to join in deed to Julius Frank Sprute and Theda Sprute, conveying the one sixth interest of Arthur Shaffer, an absentee, to Hollen Baugh, filed.

And now, May 16, 1940. Bond of J. H. Allison, Trustee with American Surety Co. of New York as surety in the sum of $1000.00 approved by the Court and filed.

FEBRUARY TERM, 1940

Stuart A Culberton 146 Paul E. Spencer 2/6/40. P.D.$.	James Capellino a minor, by Peter Cappelino, his Guardian, and Peter Cappelino in his own right, vs Richard Miller Issued Jan. 19, 1940 Tax & writ (paid) 2.00 Shff. Smith (paid) 3.20 Pro. Slayton 11-7-40. 7.80 Atty 3.00	Summons in Trespass; Returnable to the first Monday of February, 1940 Feb. 2, 1940. Statement of claim filed. Writ returned: Served the within summons personally on Richard Miller, on February 2, 1940, at 1:50 o'clock P. M. at the Talon Employment office, Pine Street, City of Meadville, Crawford County, Pa, by handing to him a true and attested copy thereof, and making contents of same known to him. So answers Harry B. Smith, Sheriff On Spring Trial List, 1940, No. 62. On Fall Trial List, 1940, No. 16. Oct. 14, 1940. Continued by agreement of counsel. Per Curiam

Nov. 4, 1940. Petition for compromise settlement filed. And now, November 4, 1940, upon presentation of the above and foregoing petition and after due consideration thereof, it is ordered and decreed that Peter Capellino be and is hereby authorized and empowered to compromise and settle for the sum of $209.00 for expenses and $281.00 for loss of wages, pain and suffering, etc., the claim of said James Capellino for damages resulting from personal injuries sustained by him at the time and in the manner set forth in the said petition, and for the recovery of which an action has been brought at the number and term in said petition set forth, and on payment of the said amounts by or for the defendant Richard Miller, he the said Richard Miller is released from any and all liability to the said James Capellino or Peter Capellino for damages growing out of the accident described in said petition.
(See paper filed) Per Curiam

Nov 6/40 Nov 6/1940 Received satisfaction in full as per court order entered Nov 4 40 in this case and discontinue this case generally.
Stuart A Culberton
Attorney for Plaintiff

Nov 7, 1940 Rec'd $88.20 in full on costs
Stuart A Culberton
Atty for Plff.

Stuart A. Carlberton

147
Carl E. Flemius
2/6/40. P.D. 8.

Richard Capellino a minor, by Peter Cappelino, his Guardian, and Peter Cappelino, in his own right
vs
Richard Miller
Issued Jan. 19, 1940

Tax Court (1/20/40 paid) $2.00
Shff Smith (paid) 3.80
Pros Slayton 11-7-40, Pd, 7.80
Atty 3.00

Summons in Trespass.
Returnable to the first Monday of February, 1940
Feb. 2, 1940, Statement of Claim filed
Writ returned. Served the within Summons personally on Richard Miller, on Feb. 2, 1940, at 1:50 o'clock P.M. at the Talon Employment office Pine Street, City of Meadville, Cam County, Pa., by handing to him a true, and attested copy thereof and making contents of same known to him.
So answers Harry B. Smith, Shff.
On Spring Trial List, 1940, No. 61.
On Fall Trial List, 1940, No. 15.
Oct. 14, 1940, Continued by agreement of Counsel. Per Curiam.

Nov. 4, 1940, Petition for compromise settlement filed
And now, November 4, 1940, upon presentation of the above and foregoing petition, and after due consideration thereof, it is ordered and decreed that Peter Capellino be and is hereby authorized and empowered to compromise and settle for the sum of $101.05 for expenses, and $398.95 for loss of wages, pain and suffering, etc. the claim of said Richard Capellino, minor for damages resulting from personal injuries sustained by him at the time and in the manner set forth in the said petition, and for the recovery of which an action has been brought at the number and term in said petition set forth, and on payment of said amounts by or for the defendant, Richard Miller, is released from any and all liability to the said Richard Capellino or Peter Capellino for damages growing out of the accident described in said petition.
(See paper filed). Per Curiam

And now Nov 6, 1940 received satisfaction in full as per Court order entered Nov 4, 1940 in the case and I hereby authorize and direct the discontinuance of this case forever.
Dwight L. Elliott
Attorney for Plaintiff

Nov. 7, 1940 rec'd of Pro Thy $8.80 refund on costs.
Dwight L. Elliott
Atty for Pltff.

FEBRUARY TERM, 1940

F. Joseph Thomas

148

Thomas & Kielbe

attest 9114. 1-30-40.

Royal Indemnity Company

vs.

Martin S. Jackson

Issued Jan. 20, 1940

Tax + poist (paid)	$2.00
Shff Smith (pd.)	6.90
Pro. S. 11-8-43, Pd.	6.60
Atty.	3.00

Summons in Assumpsit. Returnable to first Monday of February next

Feb. 7, 1940: Writ returned. Served the within Summons, personally, on Martin S. Jackson, at his residence in Sadsbury Township, Crawford County, Pa., on Jan. 24, 1940, at 8:40 o'clock, A. M., by handing to him a true and attested copy of the within Summons and making contents of same known to him. So answers,

Harry B. Smith, Sheriff.

Nov. 27, 1940, Statement of claim filed; Service of copy accepted by defendants attorneys. (See paper filed.)

Dec. 11, 1940 Affidavit of defense in nature of a demurrer, filed. Service accepted by Pltffs Atty.

On Argt. List for Feby. Term, 1941, No. 10, Feb. 24, 1941, Continued.

On Argt. List for May Term, 1941, No. 16,

May 27, 1941, By agreement of counsel the Affidavit of Defense in nature of a demurrer is dismissed, and leave granted plaintiff to file an amended Statement of claim within thirty (30) days from this date.

Per Curiam.

March 19, 1942 Amended Statement of Claim filed. Service accepted by Defts. Attys.

Sept. 8, 1942, Motion to extend time for filing affidavit of defense filed.

Order, Now, September 8, 1942, it appearing to the Court that notice has been given to the attorney for the plaintiff of the intention to present the foregoing Motion, the time for filing an Affidavit of Defense in the nature of Demurrer on behalf of the defendant is hereby extended to Sept. 23, 1942. Per Curiam.

Service of copy of notice, motion & order accepted by plaintiff's attorney.

Sept. 22, 1942, Affidavit of defense in the nature of a demurrer to amended Statement of claim filed. (Service accepted by Pltffs Atty)

On Fall Trial List, 1942, No. 44.

Sept. 28, 1942 Off list. Demurrer filed. Per Curiam.

And now Nov 8, 1943 this case is settled ended and discontinued

F. Joseph Thomas
attorney for Plaintiff

Nov 8, 1943
Rec'd $8.90 refund of costs, paid
F. Joseph Thomas

FEBRUARY TERM, 1940

J. Perry Eckels 149	Department of Public Assistance of the Commonwealth of Pennsylvania, vs. Ralph Heard, Administrator of the estate of Leroy Heard, deceased. Issued Jan. 22, 1940 ✓ Writ 2/13/40 Pd. # 1.75 Shff. Smith --- ✓ Pro. & Dis. 2/13/40 Pd. 1.00	Summons in Assumpsit, Returnable to next term "He" pages 86 & 146. And now Feb. 13 1940 this case settled and discontinued & mand. all costs paid. J. Perry Eckels atty for Plff. Attest Feb. 13, 1940. Paul D. Slayton, Pro

FEBRUARY TERM, 1940

150

May 24, 1940, Recd $35.00 costs. P.A.S.

Helen B. Thornburg
vs.
Charles G. Thornburg
Issued Jan 23, 1940

Tax & writ (paid)	3.00
Shff. Smith (paid)	3.20
Jeff E. Bossard, Master	25.00
Pro. for Co. 5/24/40. Cd.	8.10
Atty.	3.00

Subpoena in Divorce
And now, January 23, 1940, Subpoena awarded; Returnable to the first Monday of March, 1940.
Per Curiam
O. Clare Kent, P.J.

Feb. 5, 1940: Writ returned: Served the within Subpoena in Divorce on the Respondent, personally, on the 24th day of January, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit annexed. No answer. Harry B. Smith, Sheriff.

And now, May 24, 1940, on presentation of within motion Jeff E. Bossard, Esq., is appointed Master to take testimony.
Per Curiam,

May 28th 1940. Rec'd from Paul L. Loyton, Pres. #25.00 being my Master's fee in the within case. Jeff. E. Bossard, Esq. Master

May 25, 1940: Testimony and Report of Master filed.
On Argument List for May Term, 1940, No. 53.

Now June 18, 1940, after due consideration a divorce is decreed as prayed for and the respondent, Charles G. Thornburg, is ordered to pay the cost of this proceeding. Per Curiam,

Decree: And now, to-wit: June 18, 1940 A.D., this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Helen B. Thornburg be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Helen B. Thornburg, the libellant, and the said Charles G. Thornburg, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time hereafter in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

July 11, 1946. Motion for Sealing Record Filed.
And now, July 10, 1946 upon presentation of the above and foregoing motion, the Prothonotary is ordered and directed to seal all papers, including testimony, and the same is to remain so sealed and not to be opened or removed from the file without an express order of Court.
Per Curiam,
O. Clare Kent, P.J.

May 20, 1950, Helen B. Thornburg, Plaintiff files her intention to retake and resume her name as it was prior to her marriage, Helen B. Miller. (See paper filed) Fee paid May 22, 1950.

151

W. H. Earnest
vs.
Frank A. Fuller
Entered Jan. 24, 1940
$
Pro. Slayton (paid) 2.25

Of No. 290 November Term, 1934
Amicable Sci. Fa. sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Sixty-six and 84/100 Dollars being the amount of debt, interest to May 2, 1939, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Dated Jan. 10, 1940.

Debt $66.84
Int. from May 2, 1939
F. page 70. Judgment
Paul D. Slayton, Pro

Oct. 3, 1944, This judgment satisfied. (See paper filed.)

FEBRUARY TERM, 1940

Stuart A. Culbertson 152	Eleanor Sproul, a minor, by Olga Sproul her Guardian, and Olga Sproul, in her own right vs. Ralph E. McGray Issued Jan. 24, 1940. Tax & writ (paid) $2.00 Shff. Smith & al (pd) 7.40 Pro. for Co. paid 3-16-40 1.00	Summons in Trespass; Returnable to first Monday of February next. Jan. 29, 1940 Statement of claim filed On Spring Trial List, 1940, No. 65. Writ returned: Served the within Summons on Ralph E. McGray by deputizing the Sheriff of Erie County, Penna. as per his return hereto attached. So answers Harry B. Smith, Sheriff.

And now March 16, 1940 I hereby direct this case of record;

Ralph E. McGray
for Plffs.

J. Perry Eckels 153	Department of Public Assistance of the Commonwealth of Pennsylvania, vs. Edith Kendig, Executrix of the will of A. W. Kendig, decd Issued Jan 25, 1940 ~~Tax~~ Writ 3/20/40 Paid $1.75 Shff. Smith (paid) 4.20 State tax .50	Summons in Assumpsit, Returnable to next term Jan 29, 1940 Statement of Claim filed. Writ returned: Served the within summons, together with copy of Statement of Claim was made upon Edith Kendig, Executrix of the will of A.W. Kendig, deceased by Roy S. Peters, Attorney for Deft accepting service of same for her on Jan 30, 1940. So answers Harry B. Smith, Sheriff

FEBRUARY TERM, 1940

154	Venire for the First and Second Mondays of March 1940. Issued Jan. 29, 1940 Pro. Slayton $2.50	Venire for Sixty-five (65) qualified persons to be Traverse Jurors for the Court of Common Pleas to be held the weeks beginning the first and second Mondays of March, 1940. Sheriff's Return: And now, Feb. 8, 1940, I, Harry B. Smith, Sheriff of Crawford County, do hereby certify and make return that I have summoned the persons whose names appear on the schedule hereto attached, to come and serve as traverse jurors at the Court of Common Pleas to be held at Meadville, in and for said County, on the 1st and 2nd Mondays of March, 1940. So answers, Harry B. Smith, Sheriff.

Frank D. Prather 155 Roy S. Peters	C. P. Levine vs. Edith Kendig, Executrix of the will of A. W. Kendig, deceased Entered Jan. 30, 1940 # Tax & entry (paid) 2.25	Summons in Assumpsit, Returnable to next term. "K" p. 105, 105 Now, January 30, 1940, Roy S. Peters, Esq., appears for defendant, and waives the issuance of summons and accepts service in the within action, with the same force and effect as if the summons had been regularly issued and had been duly served by the Sheriff. (See praecipe.)

FEBRUARY TERM, 1940

Breen & Jobson
Kent & Kent
156
Thomas & Kubat
2-12-40. P.D.S.
Herbert C. Varnum.
2/27/40 P.D.S. Pro.

3/31/40 received $3.00
docket fee. Kent & Kent
John O. Kent

Harry W. Patterson
vs.
Oil Creek Refining
Company
Issued Feb. 1, 1940

Tax & writ (paid)	$2.00
Shff. Smith (pd.)	9.50
Pro. for Co. 3-31-41. Pd.	8.80
Atty.	3.00

Summons in Assumpsit,
Returnable to Second Monday of
February, 1940.
Feb. 1, 1940, Statement of Claim filed.
Feb. 7, 1940: Writ returned: "Served the Oil Creek Refining Company, the within named Company, by handing, February 6, 1940, at 3:40 o'clock p.m., a true and attested copy of the within Summons, together with copy of statement of Claim, personally, to Frank McGraw, the President of said defendant Company, at the Oil Creek Refining Company office, in the City of Titusville, Crawford County, Pa. and making contents of same known to him." So answers, Harry B. Smith, Sheriff.
And now, February 26, 1940, On motion in open Court, Rule is granted on plaintiff to enter security for costs, in the meantime proceedings stayed; returnable sec. reg.
(See paper filed) Per Curiam.
Feb. 26, 1940, Affidavit of defense and counter claim filed.
March 4, 1940, Agreement of counsel, extending time to file answer to Defts. counter claim until Mar. 29, 1940, filed.
March 7, 1940, Bond of plaintiff, as security for costs, with United States Fidelity and Guaranty Co. as surety, in the sum of $500.00, filed.
Mar. 29, 1940, Agreement of counsel extending time for filing answer to counter claim approved by the court and filed.
April 11, 1940, Plaintiffs reply to defendants counter claim filed. Service accepted by Defts. attys.
On Fall Trial List No. 39 – 1940,
On Winter Trial List, 1941, No. 21.
Jan. 14, 1941, Doctor's affidavit as to illness of material witness filed.
Jan. 14, 1942, Continued on application of Defts, and marked Remanet. Per Curiam.
On Spring Trial List, 1941, No. 4.
March 3, 1941, Continued by agreement of counsel. Per Curiam.
Now, March 31, 1941, at direction of plaintiff's attorneys and plaintiff & defendant individually, this case is marked discontinued of record.
Paul D. Clayton, Pro.
(See paper ordering discontinuance filed.)

Dickson Andrews

157

City Coal and Supply Company
vs.
Mrs. Hazel Still and J. M. Still
Issued Feb. 2, 1940

Pro. Slayton (2/3/40) Yard $2.25
Shff. Smith Ad. 5.50
Pro. S. 3-27-40 Pd. 2.50
Atty. 3.00

Oct. 17, 1940 Rec'd of Plaintiff $3.00 atty's docket fee
Dickson Andrews

Of No. 215 November Term, 1934 D.S.B.
Sci. Fa. to revive and continue the lien of the above judgment
Returnable to second Monday of February next.
"St" pages 95 & 73
Feb. 2, 1940, Plaintiffs Statement of claim filed.
3/27/40. Writ returned: Served the within Sci. Fa. to Revive Judgment, together with Copy of Statement of Claim, personally, on Mrs. Hazel Still, on February 7, 1940, at 5:30 o'clock P.M., at No. 1165 Park Avenue, City of Meadville, Crawford County, Pa., by handing to her a true and attested copy of the within Sci. Fa. to Revive Judgment, together with Copy of Statement of Claim and making contents of same known to her. Also served the within Sci. Fa. to Revive Judgment, together with Copy of Statement of Claim, personally on J. M. Still, on February 7, 1940, at 5:30 o'clock P.M., at No. 1165 Park Avenue, City of Meadville, Crawford County, Pa., by handing to him a true and attested copy of the within Sci. Fa. to Revive Judgment, together with Copy of Statement of Claim and making contents of same known to him.

So answers,
Harry B. Smith,
Sheriff.

And now, March 27, 1940, On motion of Dickson Andrews, Esq., judgment is entered in favor of the plaintiff and against the defendants, for want of an affidavit of defense, and liquidated at the sum of One Hundred Six & 07/100 Dollars with costs of suit,

Debt 106.07
Int. from Mar. 27, 1940
Attys. Com. included 3.60
Judgment
Paul D. Slayton,
Prothonotary.

St. 95-73.

Oct 17, 1940, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Dickson Andrews Atty for Plaintiff.

Paul D. Slayton P.o.

FEBRUARY TERM, 1940

Kenneth W Rice 158	E.S. Phillips vs. Fannie belle McVey Walker, William Sheperdson and Oil City National Bank, Oil City, Pennsylvania, Executors of the estate of Wallace D. Walker, deceased Issued Feb. 3, 1940 Tax & writ (paid) $2.25 Sheff. Smith Pd. 2.50 Pro. for Co. 11-21-42 Pd. 1.50 Atty. 3.00	Summons in Assumpsit. Returnable to first Monday of March next "Wa." pages 149, "S" p. 137 Corp. page 84 9/16/40. Writ returned: Now, March 4, 1940, no service as to Fannie belle McVey Walker, William Sheperdson and Oil City National Bank, Oil City, Pennsylvania, Executors of the Estate of Wallace D. Walker, deceased. So answers, Harry B. Smith, Sheriff.

Nov. 20, 1942 - This case having been settled, the Prothonotary is hereby directed to mark the same settled & discontinue the same of record.

Kenneth W Rice
Attorney for Plaintiff.

Stuart A Culbertson 159	Merchants National Bank and Trust Company vs. Olive Huttelmayer and Ed Huttelmayer Issued Feb. 3, 1940 Pro. Slayton (2/5/40 paid) 2.25 Stff. Smith -- Pro. Slayton, since (2/5/40 paid) 2.00 Atty 3.00	Of No. 317 November Term, 1934, D.&C. Scire Facias to revive and continue the lien of the above judgment. Returnable to first Monday of March next. "Hu." pages 36 & 42. Feb. 5, 1940, Amicable Sci. Fa. and confession of judgment filed. It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Four hundred forty-three and 2/100 Dollars, being the amount of debt, interest to February 3, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt $443.02 Attys com. included 20.86 Int. from Feb. 3, 1940 Nu. pp. 94 & 42. Judgment. Paul D. Slayton, Pro

July 9, 1942, received satisfaction in full of the above judgment, debt, interest and costs, and hereby authorize th. Prothonotary to satisfy the same of record.

Attest: Paul D. Slayton, Pro.

J. A. Boland 760	Use of Trustees of Trusteed Assets of The Springs-First National Bank of Cambridge Springs, Pa. vs. J. L. Garrier Entered Feb. 5, 1930 Pro. Slayton (paid) $ 2.25 Atty 3.00	Of No. 17 May Term, 1935 Amp. Dec. Amicable Scire Facias and Judgment It is agreed that the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Eleven hundred thirty and no/100 Dollars, being the amount of debt, interest to January 25, 1940, [attorneys commission] and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note. Debt $1130.00 Attys Com included 50.00 Int. from Jan. 25, 1940 Judgment Paul D. Slayton, Pro. "Ca." page 4.

Kenneth W. Rice

161

Paul E Thomas

Richard McCray, by his mother and next friend, Mary McCray
vs.
Robert E Straw
Entered Feb 5, 1940

Tax & entry 2/16/40 Paid $ 2.00
Bro Slayton 2/16/40 paid 4.00
Atty 3.00

Summons in Trespass; Returnable to first Monday of March next

And now, Feby 5, 1940, Paul E Thomas, Esq., appears for the defendant, waives the issuing of summons, with the same force and effect as if summons had been duly and regularly issued, and served by the Sheriff of Crawford County.

(See praecipe)

Feb 5, 1940, Petition of plaintiff to authorize the compromise and settlement of this suit, presented in open Court and filed.

And now, Feby 5, 1940, upon presentation of the foregoing, leave is hereby granted to settle and compromise the above action upon payment unto Mary McCray the sum of Two hundred twenty-five and 50/100 ($225.50) Dollars, and by payment unto the said Minor, Richard McCray the sum of Two Hundred Twenty-five ($225.00) Dollars, and upon payment thereof, said action shall be marked "Settled and discontinued" on the records.

Per Curiam,
O Clare Kent, P.J.

(See petition filed)

And now, Feby 15, 1940, payment having been made pursuant to the above order, this action is hereby settled and discontinued of record.

Kenneth W Rice
Atty. for Plaintiff

Charles B Stegner
162

Titusville Trust company
vs
J. E. Shambaugh and Minnie Shambaugh (deceased)
Entered Feb 5, 1940

Pro Slayton (atty fee) $2.25
Atty 3.00
Pro S, suggestion .50

Of No. 22 May Term, 1935, Sup. Doc
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county and duly so returned and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of One hundred thirty Dollars, being the amount of debt interest to Feb. 19, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Dated February , 1940

J. E. Shambaugh (Seal)
Titusville Trust Co. (Seal)
by Charles B. Stegner, Atty

Signed, Sealed and Delivered in the presence of
Margaret Moran
Ileen M. Milner

Debt $130.00
Interest from Feb. 19, 1940
Judgment
Paul D. Slayton, Pro.

Sh. page 66

And now, February 5, 1940, the death of Minnie Shambaugh, one of the defendants, on February 11, 1939, is suggested. (See Praecipe filed)

Herbert A Mook

163

Maryellen Lawson Goetz, by her father and next friend Lawrence Lawson
vs.
Daniel C. Goetz
Issued Feb. 5, 1940

Tax & writ paid 4/22/40 $3.00
Shff Smith (paid) 3.20
Bro. disc. 11-5-41. Pd. 1.00
atty. 3.00

Subpoena in Divorce

And now February 5, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to the first Monday of April, 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned Mar. 25, 1941:- Served the within Subpoena in Divorce on the Respondent personally on the 1st day of April, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.

So answers Harry B. Smith, Sheriff

And now Nov. 5, 1941. I hereby discontinue the above case of record.

Herbert A Mook atty.

FEBRUARY TERM, 1940

Frank D. Prather
164

Jan 9 1924
Dr to $3.00
Dkt Fee
Frank D. Prather

Jessie Sunderlin
vs
H. B. Patterson,
Bernice H. Patterson
and Roy S. Peters.
Entered Feb. 6 1940

Pro Slayton (Deft.) $2.25
Atty 3.00

Of No. 195 November Term, 1933, DSB
Amicable Scire Facias sur Judgement
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county and duly so returned; and that a judgment be entered thereon, in favor of the plaintiff and against the defendant, for the sum of Five Hundred ($500.00) Dollars, being the amount of debt and costs now due on the original judgment, with interest from December 19, 1940; with all the waivers and conditions contained in the original judgment note.

Debt $500.00.
Interest from Dec. 19, 1939.

8 pages 126, 136 & 101. Judgment
Paid Slayton Pro.

July 11, 1941 writing filed whereby plaintiff releases from the lien of this judgment the following two pieces of land situate in the Boro of Sageytown Gaboford County Pa as follows, Beginning at an iron post in the west line of Main Street at the southeast corner of the land hereby conveyed; thence south seventy three (73) degrees west along the land of H. B. McMaster formerly of Bruce Patterson and Bruce Patterson, his wife, forty nine (49) feet and six (6) inches to an iron post; thence north fifty seven (57) degrees fifty five (55) minutes west along land of H. Bruce Patterson and Bernice H. Patterson, his wife one hundred sixty (160) feet to an iron post; thence north seventy three (73) degrees east along other land of the said Bruce Patterson and Bernice H. Patterson, his wife one hundred fifty (150) feet to an iron post in the west line of Main Street; thence south nineteen (19) degrees thirty minutes (30) east along the west line of Main Street one hundred twenty (120) feet to an iron post, the place of beginning.
Also all that other piece or parcel of land situate in the Boro of Sageytown Gaylord County Pa bounded and described as follows, to wit, Beginning at an iron post at the southwest corner of the above described land; thence south seventy three (73) degrees west along land of H. B. McMaster formerly of Bruce Patterson and Bernice H. Patterson, his wife forty five (45) feet six (6) inches to an iron post; thence north fifty six (57) degrees fifty three (53) minutes west along other land of the said H. Bruce Patterson and Bernice H. Patterson his wife one hundred forty seven (147) feet and six inches to an iron post; thence north seventy three (73) degrees along other land of H. Bruce Patterson and Roy S. Peters twenty five (25) feet to an iron post; thence south fifty seven (57) degrees fifty five minutes east along the aforedescribed land one hundred sixty five (165) feet to an iron post, the place of beginning.
June 9, 1944, This judgment satisfied. (See papers filed.)

Stuart A Culbertson 165	Westford Independent Telephone Company vs Mrs R H Ralston and R H Ralston Issued Feb 6, 1940 $ Pro. Clayton Paid 2.25 Sheff Smith (paid) 2.50	Of No 135 November Term, 1930, D.S.B. Scire Facias to revive and continue the lien of the above judgment Returnable to first Monday of March, 1940 R. page 73 Writ returned by order of Plffs. Attorney. No service made on the within writ. So answers, Harry B Smith, Sheriff Feb. 21, 1940, Judgment satisfied. (See No 135 Nov Term, 1930, D.S.B.)

FEBRUARY TERM, 1940

Roy S. Peters
166

Frank D. Prather
vs.
Albert Stainbrook
Entered Feb. 6, 1940.

Pro. Slayton (paid) $2.25
Atty 3.00

Of No. 473 May Term, 1935, D.S.B.
Amicable Scire Facias sur Judgment.
It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant for the sum of One hundred fifty-seven and 50/100 Dollars, being the amount of debt without interest, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt 157.50
Attys com. included 7.50
Interest from maturity.

"St." page 123. Judgment
Paul D. Slayton, Pro.

Fi. Fa. No. 29 Sept. Term, 1942.

F. Joseph Thomas
167

Sept. 16, 1940, Recd. $33.10 costs
P. D. S.

Sept. 17 1940 Recvd $25.00
Masters fee.
J. Perry Eckels

Georgia H. Chelton
vs.
James C. Chelton
Issued Feb. 6, 1940

Tax & writ (paid)	3.00	
Staff Smith (paid)	3.20	
J. Perry Eckels, Master	25.00	
Pro. for Co. 9-17-40, Pd.	8.10	
Atty.	3.00	

Subpoena in Divorce
And now, February 6, 1940, Subpoena awarded, Returnable to the first Monday of April, 1940.
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 14th day of February, 1940, by delivering to him a true and attested copy of same, and making known to him the contents thereof, as appears from affidavit as above. So answers
Harry B. Smith, Shff.

And now, September 16, 1940, J. Perry Eckels, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.
Per Curiam,

Sept. 17, 1940. Testimony and Report of Master filed.
On Arg. List for Sept. Term, 1940, No. 32.

Now Sept. 27, 1940, After due consideration a divorce is decreed as prayed for and the respondent, James C. Chelton, is ordered to pay the cost of this proceeding.
Per Curiam,
O. Clare Kent, P.J.

Decree and now, to-wit September 27, A. D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon duly taken and filed of record, and it appearing to the Court that the cause set forth in said libel are true, it is by the Court ordered, adjudged and decreed, that the said Georgia H. Chelton the libellant and the said James C. Chelton the respondent and that thereafter all and every duties, rights and claims accruing to the said libellant or the said respondent, at any time hereafter in pursuance of said Marriage, shall cease and determine and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam

March 2, 1949, Georgia H. Chelton, Libellant, in the above captioned case gives written notice of her avowal and intention to resume her former name, Georgia A. Hackett. (See paper filed)

FEBRUARY TERM, 1940

168	C. C. Joslin vs. Edna E. Bradish Entered Feb. 6, 1940 Pro. Slayton (Writ paid) $2.25	Of No. 323 November Term, 1934 Amicable Scire Facias sur Judgment It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the deft., for the sum of Four hundred fifty one and 75/100 Dollars, being the amount of debt, interest to Dec. 31, 1930, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note. Debt $451.75 Int. from Dec. 31, 1930 Br. page 82. Judgment. Paul D. Slayton, Pro. Oct. 13, 1949, Sci. Fa. to No. 46 Nov. Term, 1949

Kenneth W. Rice 169 J. Perry Eckels attest. fm 2-9-40.	Velma Sayre vs. Sarah Trace and Alfred T. Ewing, Constable Issued Feb. 6, 1940 Tax writ (2/7/40 paid) # 3.00 Staff. Smith	Replevin for household goods, contrivances, and wearing apparel, itemized in detail in praecipe, of the value of approximately $150. Returnable to first Monday of March next. Feb. 6, 1940, Plaintiffs bond, with Laila Skinner as surety, in the sum of $300.00, approved and filed. Feb. 8, 1940, Affidavit of value filed. And now, June 6, 1940, On motion in open Court, rule to show cause granted why plaintiff should not be required to file a new bond, returnable sec. reg. (See paper filed) Service accepted. Per Curiam And now, June 10, 1940, Plff. by Atty enters a rule on Plff to file a Declaration within 15 days or judgt. Same day. Service accepted. June 17, 1940, Declaration in replevin filed. Service accepted. June 20, 1940. Demurrer to Defts. motion to require Plff. to file a new bond, filed. Service accepted by Defts. Atty. July 30, 1940, Affidavit of defense filed.

eland J. Conbertson

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(Continued from bottom)
Feb. 21, 1940, service
being made according to
ule 47, Sec. 8, Sub. Sec. B,
the Rules of Court (See
nvelope attached).
dorsed notice of the
within writ in the
meantville Courier,
meantville, Pa., once a
ek for three successive
eeks, Feb. 14, 21, 28, 1940
accordance to Rule 47
c. 8, Sub-sec. B., of the
ules of Court, as per proof
publication hereto attached
See papers filed).

Do answer,

Harry B. Smith, Sheff.

And now, March 14, 1940
on motion of plaintiff
thy, judgment is
ntered in favor of
laintiff, and against
he defts. & terre ten-
nts, for want of an
ppearance, and
ums liquidated at
he sum of $4907.91,
ith interest from
March 15, 1940, and Costs
See paper filed)

Debt $4907.91
Int. from Mar. 15, 1940
Judgment

Paul D. Clayton
Atty

Jr. 107; Mm 193; Wm 157.
ev. Fac. to No 46 May Term, 1940

The Federal Land Bank
of Baltimore
vs.
T. H. Knox and Augusta
Knox, his wife, origin-
al mortgagors; J. J.
Miller, mortgage
assumptor; Adam
Webber, mortgage
assumptor; Phillip P.
Webber, mortgage
assumptor; John P.
Webber and Christine
B. Webber, terre tenants
and real owners.
Issued Feb 7, 1940

Tax + writ (paid) $ 3.00
Rec. Smock .50
Shff. Smith (paid) 31.94
Pro. Clayton 4/22/40 Pd. 8.00
Atty 3.00

Scire Facias sur Mortgage recorded
in Mortgage Book Vol. 134, page 153;
Returnable to the first Monday of
March next.

Feb. 7, 1940, Affidavit as to real owners filed.

Feb. 7, 1940, Averment of default filed.

Feb. 7, 1940, Statement of claim filed,
and 7 copies certified.

Writ returned: On Feb. 14, 1940, mailed by registered mail, postage prepaid, a true and attested copy of the within Sci. Fa. Dur Mortgage, together with copy of Statement of Claim, to J. J. Miller, Mortgage Assumptor, Miller Block, Conneaut, Ohio, his last known address, which was received by him on Feb. 15, 1940, as per return receipt hereto attached and made a part of this return. On Feb. 14, 1940, mailed by registered mail, postage prepaid, a true and attested copy of the within Sci. Fa. Dur Mortgage, together with Copy of Statement of Claim, to Adam Webber, mortgage assumptor, 13711 Madison Avenue, Lakewood, Ohio, his last known address, which was received by him on Feb. 15, 1940, as per return receipt hereto attached and made a part of this return. On Feb. 14, 1940, mailed by registered mail, postage prepaid, a true and attested copy of the within Sci. Fa. Dur. Mortgage, together with Copy of Statement of Claim, to Phillip P. Webber, mortgage assumptor, No. 13711 Madison Ave., Lakewood, Ohio, his last known address, which was received by him on Feb. 15, 1940, as per return receipt attached hereto and made a part of this return. On Feb. 14, 1940, mailed by registered mail, postage prepaid, a true and attested copy of the within Sci. Fa. Dur mortgage, together with copy of Statement of Claim to John P. Webber, terre tenant and real owner, No. 13711 Madison Ave., Lakewood, O., his last known address, which was received by him on Feb. 15, 1940, as per return receipt hereto attached and made a part of this return. On Feb. 14, 1940, mailed by registered mail, postage prepaid, a true and attested copy of the within Sci. Fa. Dur Mortgage, together with copy of Statement of Claim, to Christine B. Webber, terre tenant and real owner, No. 13711 Madison Ave., Lakewood, Ohio, her last known address which was received by her on Feb. 15, 1940, as per return receipt hereto attached and made a part of this return. Mailed by registered letter, postage prepaid, Feb. 14, 1940, a true and attested copy of the within Sci. Fa. Dur Mortgage, together with Copy of Statement of Claim, to T. H. Knox, Litchfield, Ohio, R.D. #1, his last known address, which letter was returned "Unknown" on Feb. 21, 1940, service being made according to Rule 47, Section 8, Sub-Section B. of the Rules of Court, (see envelope attached). Mailed by registered letter, postage prepaid, Feb. 14, 1940, a true and attested Copy of the within Sci. Fa. Dur Mortgage, together with Copy of Statement of Claims, to Augusta Knox, Litchfield, Ohio, R.D. #1, his last known address, which letter was returned "Unknown,

(continued on margin)

John H Bozic
Breene & Jobson

171

F. C. Kiebart, Jr.
Harvey Morton Aronson
Charles E Harrington

Oil City Sand & Gravel Company, a corporation,
vs.
P. G. Baldwin, Receiver of Pioneer Materials Company a corporation
Issued Feb. 7, 1940

Tax & writ paid 2-8-40 $2.00
Shff. Smith (paid) 4.80
Pro. Slayton 12/10/40. Pd. 4.25
Atty 3.00

Summons in Assumpsit, Returnable to first Monday of April, 1940.

Feb. 7, 1940, Statement of claim filed.

March 4, 1940, Affidavit of defense raising preliminary questions of law for decision in limine filed.

On Argument List for May Term, 1940, No. 2.

May 28, 1940, Argued

Now, July 11, 1940, defendant's affidavit of defense in lieu of demurrer raising questions of law, is dismissed, and defendant is ordered to file his affidavit of defense answering averment of facts within thirty (30) days from this date. Exception noted, and sealed for the defendant.

Per Curiam,
O. Clare Kerr, P.J.

(See opinion of Court filed)

Writ returned. Served the within summons, together with copy of Statement of claim personally, on P. G. Baldwin, Receiver of Pioneer Materials Company, a corporation, on Feb. 17, 1940, at 5:10 o'clock P. M., at No. 959 Water Street, City of Meadville, Pa., by handing to him a true and attested copy thereof, and making contents of same known to him. So answers

Harry B. Smith, Sheriff

And now, October 8, 1940, On motion of plaintiff's attorneys, judgment is entered in favor of the plaintiff and against the defendant, for want of an affidavit of defense, for Five hundred eighty-nine and 24/100 Dollars, with interest thereon from January 9, 1939, and costs of suit.

(See paper filed)

Debt	589.24
Int. from Jan. 9, 1939	

Be p. 146; Corp p. 108. Judgment.

Paul D. Slayton, Pro.

2/5, 1943, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

John H Bozic Atty for Plaintiff

Attest: Paul D. Slayton Pro.

172

First National Bank
Meadville, Pa.,
vs.
Henry R. Herman
and David C. Herman
Entered Feb. 7, 1940

Pro. Slayton (Atty. pd) $2.25

Of No. 228 February Term, 1935 D.S.B.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff, and against the defendant, for the sum of Six Hundred Fifty-two and no/100 Dollars, being the amount of debt, interest to Feb. 1, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $652.00
Interest from Feb. 1, 1940.

Judgment
Paul D. Slayton, Pro.

See page 119.

Rowland B. Mahany	Blue & Gray Service Station	Feb. 7, 1940, Petition of Mata T. Bishop presented in open court and filed.
173 Rowland B. Mahany	vs. Mata T. Bishop Entered Feb. 7, 1940	And now, February 7, 1940, after consideration of the foregoing petition, a rule is hereby granted to show cause why Clyde McCutchen, a Constable of the First Ward of the City of Titusville, Pennsylvania, should not set aside to the defendant property to the value of Three Hundred Dollars ($300.00) out of the goods levied upon, according to law, said rule being returnable sec. reg. All proceedings upon the said issued execution to be stayed, until this rule is finally determined. Service of a certified copy of the aforesaid petition and this order to be made upon the aforesaid Clyde McCutchen by the defendant within five days from the date hereof.
	Pro. Slayton 2-9-40 Paid $3.50	Per Curiam, Oblare Kent, President Judge.

(See petition)

Same day, certified copy of petition and order issued.

Feb. 9, 1940, Acceptance of service by W. C. McCutchen, Constable, of copy of petition and order filed.

May 6, 1940, Petition of plaintiff for leave to file an answer to the rule of Feb. 7, 1940, presented in open Court, and rule to show cause granted. Per Curiam. (See paper filed)

Charles B. Stegner

174

Titusville Trust Company,
vs.
W. F. Young
Entered Feb. 8, 1940

Pro. Slayton (paid)	$ 2.25
Atty	3.00

Of No. 328 November Term, 1934, D&B
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Five Thousand ($5000.00) Dollars, being the amount of debt, interest to Feb. 8, 1935, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note. Dated Feb. 7, 1940.

Debt	$ 5000.00
Interest from Feb. 8, 1935	

Y. page 20 Judgment
Paul D. Slayton, Prothy

3-18-, 194°. Received Satisfaction in full of the above judgement, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Chas. B. Stegner
Witness

Paul E. Thomas
Templeton, Whiteman & Voorhies
175
Thomas v. Kiebort

Jan. 15, 1941, Recd. of Plff per Warren R. Keck Jr. atty $4.00 jury-fee in this case
Paul D. Clayton Pro.

April 8, 1941, Received from Pro. Clayton $3.50 being my costs in this case.
Geo. W. McKelvey Constable

And now, Jany 25, 1941, Recd of defendants attorney $238.85 in full of the above judgment and costs and the Prothonotary is directed to satisfy the judgment of record.
Paul E. Thomas
atty for Plff.
Fred C. Carr

April 23, 1941, Received from Pro. Clayton, $5.70 being my costs in this case.
Fred C Carr

Eli McGrath
vs.
Mack & Wilson
Entered Feb. 8, 1940

Tax & entry (Atty Fee)	$ 1.50
Costs on Trans.	11.20
Pro. Clayton for Cs. 12-5-41, Pd.	10.40
Jury-fee 1-15-41. Pd.	4.00
Atty	3.00
Plffs bill of costs	15.40

Appeal by Deft. from Judgment of Fred C Carr, Justice of the Peace Feb. 13, 1940. Acceptance of service of notice of filing appeal filed.
March 7, 1940, Statement of claim filed. Service accepted.
Sept. 9, 1940, Affidavit of defense filed.
On Fall Trial List, 1940, No. 33.
On Winter Trial List, 1941, No. 15.
And now, January 10, 1941, a jury selected and sworn as follows: 1- Mrs. Nellie Cunniskey, 2- Mrs. Doroth Heliker, 3- Edith Anderson, 4- Mrs. Jane Murdock, 5- Mrs. Anna Corliss, 6- J. S. McClintock, 7- J. N. Peters 8- Adam Poe, 9- Charles A. Wolfe, 10- Lucy C. Ramey, 11- P. Johnson, 12- Otto Fixel: twelve good and lawful persons, who upon their solemn oaths which they have taken say, January 11, 1941, they find for the plaintiff in the sum of One hundred ninety-four and 66/100 Dollars
Wit. page 157

Jan. 11, 1941, Plaintiffs points filed.
Jan. 15, 1941, Plaintiffs bill of costs filed, $15.40.

FEBRUARY TERM, 1940

F. Joseph Thomas

176

Paul E. Thomas
for Garnishees

And now May 29, 1941 the above action settled ended and discontinued of record.
F. Joseph Thomas
Attorney for Plaintiff

Aletha B. McBride Administratrix of the estate of E. C. Sweeney deceased

vs

Audley D. Stevens deft. and Donald Tyler and Farm Bureau Insurance Company Garnishees

Issued Feb. 9, 1940.

Tax & writ (paid)	$2.75
Sheff Smith (paid)	12.20
Pro. Slayton (5/7/40 paid)	1.25
Atty (Rec'd payment of F. Thomas)	3.00

No. 514 November Term, 1939. D.S.B.
Attachment Execution
Returnable to next term
To attach all and singular the goods and chattels, rights and credits, moneys and properties of the deft., in whose hands the same may be, and especially in the hands of Donald Tyler and Farm Bureau Insurance Company, a corporation, or which may be recovered from the said Donald Tyler and Farm Bureau Insurance Company, a corporation, by Audley Stevens in a suit now at issue against said Donald Tyler; and summon them as garnishees.
And now, Feby 9, 1940, Paul E. Thomas, Esq., appears for Donald Tyler and Farm Bureau Insurance Co., the Garnishees (See paper filed)
Writ returned: Served upon defendant and the garnishees Feb 20, 1940. (See writ)

FEBRUARY TERM, 1940

J. B. Cunningham
F. Joseph Thomas
177
Mail Jno. McClintock 3-4-40

G. A. McDowell
vs.
E. W. Skilling
Issued Feb. 9, 1940

	#
Tax & writ (paid)	2.00
Sheff Smith (pd)	3.90
Sheff Westmoreland Co. (pd)	11.40
Pro. for Co. 8-21-41, Pd.	6.30
Atty.	3.00
	26.60

Summons in Trespass
Returnable to first March next
Feb. 9, 1940. Statement of Claim filed.

Writ returned: Served the within writ Feb. 19, 1940, at 11 o'clock A.M. on the within named Deft. E. W. Skilling by handing a true and attested copy thereof, together with copy of Statement of claim, to an adult member of his family (wife, Margaret Skilling) at his dwelling house, at 355 Pershing drive, New Kensington, Westmoreland County, Pa

So answers Fred J. Broad, Sheriff of Westmoreland County, Pa

Aug 21, 1941 Rec'd $20.30/100 costs and Debt fr Joseph Thomas

Served the within summons, together with copy of Statement of claim on E. W. Skilling, by deputizing the Sheriff of Westmoreland County, Pa., as per his return hereto attached. So answers Harry B. Smith, Sheriff

On Fall Trial List, 1940, No. 30,
On Winter Trial List, 1941, No. 12, Jany 6, 1941, Contd on application of Plff Per Cur
On Spring Trial List, 1941, No. 28,
March 3, 1941, Continued by agreement of Counsel.
Per Curiam.

And now Aug 21, 1941 the above entitled case is settled, ended and discontinued

F. Joseph Thomas
Attorney for Plaintiff

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First National Bank, Meadville, Pa.,
vs.
E. E. Burchard
Entered Feb. 9, 1940
Pro. Slayton (Plff. pd) $2.25

Of No. 6 May Term, 1940, Appl. Doc
Amicable Sci. Fa. sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Two Hundred seventy-five Dollars, being the amount of debt, interest to Feb. 1, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $275.00
Int. from Feb. 1, 1940

Bk. Page 148 Judgment
Paul D. Slayton, Pro.

Stuart A. Culbertson J. Perry Eckels 179 Dilkens Andrews 3-4-1940 P.D.S.	Charles A. Ferris, Woodea A. Ferris and John A. Ferris, trading as Ferris Bros. vs. The City of Meadville Issued Feb. 9, 1940. Tax & writ (paid) $2.00 Shff Smith (paid) 4.20	Summons in Trespass; Returnable to first Monday of March, 1940. Feb. 9, 1940, Statement of claim filed. Writ retd: Served The City of Meadville, the within named deft, by handing personally on Feb. 14, 1940, at 2:25 o'clock P.M. a true and attested copy thereof, together with copy of statement of claim, to Fred Whipple Mayor of said city, at No. 961 Water Street, Meadville, and making contents of same known to him. So answers Harry B. Smith, Sheriff On Spring Trial List, 1942, No. 15. March 2, 1942, Continued on application of plaintiffs, and market Remanet Per Curiam. On Fall Trial List, 1942, No. 5. Sept. 28, 1942, Continued on application of plaintiffs. Per Curiam. On Spring Trial List, 1943, No. 22. March 1, 1943 Continued on application of plaintiffs. Per Curiam.

Stuart A. Culbertson
J. Perry Eckels
180

Dickson Andrews
3-4-1940
O.D.S.

D. H. Ferris
vs.
The City of Meadville
Issued Feb. 9, 1940

Tax & writ (paid) $2.00
Shff. Smith (paid) 4.20

Summons in Trespass;
Returnable to first Monday of March, 1940.
Feb 9, 1940, Statement of claim filed.
Writ retd: Served The City of Meadville, the within named deft, by handing personally on Feb. 14, 1940, at 2:25 P.M. a true and attested copy of the within summons, together with copy of Statement of claim, to Fred Whipple, the Mayor of said City, at No. 961, Water Street, Meadville, Pa. and making contents of same known to him. So answers Harry B. Smith, Shff.
On Spring Trial List, 1942; No. 16.
March 2, 1942, Continued on application of plaintiff and marked Remanet. Per Curiam.
On Fall Trial List, 1942, No. 6.
Sept. 28, 1942, Continued on application of plaintiffs Per Curiam.
On Spring Trial List, 1943; No. 23.
March 1, 1943 Continued on application of plaintiff
Per Curiam.

J. Berry Eckels

181

Department of Public Assistance of the Commonwealth of Pennsylvania
vs.
Albert Drake, Deft
Titusville Trust Company, and Second National Bank of Titusville, Pa,
Garnishees
Issued Feb. 10, 1940
#
Writ paid 3/4/40 — 2.50
Skiff Smith (Paid) 12.40
Pro. for Co. paid 3/4/40 Pd. 1.00

Attachment in Assumpsit under Act of March 17, 1869, as Amended; Returnable to the first Monday of March, 1940
To attach all the moneys, stocks rights in action, evidence of debt and other property of the defendant and to summon as garnishees the Titusville Trust Company and the Second National Bank of Titusville, Pa., and all other persons in whose hands or possession the same may be found.
Feb. 10, 1940 Affidavit for Fraudulent Debtors Attachment, filed
Writ returned:
Attached as within commanded, February 12, 1940, at 12:30 o'clock P.M., by going to No. 213 W. Elm Street, City of Titusville, Pa., attaching and declaring that I attached an undivided one half interest in a deposit in the Second National Bank of Titusville, Pa., of approximately Nine hundred Dollars, of the within named defendant, in the hands, possession or control of the Second National Bank of Titusville, Pa., Garnishee. And summoned, on the same day and at the same time, the said Second National Bank of Titusville, Pa., by handing personally, a true and attested copy of the within writ to Arvid Anderson, Cashier of said bank, Garnishee, and making known to him the contents thereof.
Attached as within commanded, February 12, 1940, at 12:45 o'clock P.M. by going to No. 513 N. Perry Street, City of Titusville, Crawford County, Pa., attaching, and declaring that I attached an undivided one half interest in a deposit of money in the Titusville Trust Company, amounting approximately Sixteen Hundred Dollars, of the within named defendant, in the hands, possession or control of the Titusville Trust Company, Titusville, Pa., Garnishee. And summoned, on the same day and at the same time, the said Titusville Trust Company, Titusville, Pa., by handing personally, a true and attested copy of the within writ to Frank Hill, cashier of said bank, Garnishee and making known to him the contents thereof.
No service as to Albert Drake, defendant.
So answers Harry B. Smith, Sheriff

And now March 4 1940 This case settled and discontinued, all costs paid
J. Berry Eckels
atty. for Pltff.

182
Joseph J Thomas

Frank Mordush
vs
Irving F Boorose, doing business as Irving Wall Paper and Paint Company
Entered Feb 10, 1940

Tax & entry (paid)	1.50
Costs on Trans	5.35
Pro. for Co. 4-4-41 Pd.	2.00
Atty.	3.00

Appeal by Deft from Judgment of R. A. Reilbaugh, Alderman.
Feb. 14, 1940. Acceptance of service of notice of filing appeal, filed.
And now, March 25, 1941, on motion of defendant's attorney and in accordance with Rules of Court judgment of non pros is entered against the plaintiff for want of a Statement and Affidavit of Claim.
Judgment of Non Pros
M-204, Paul D. Blaxton, Prothy.

FEBRUARY TERM, 1940

John W Kimbaugh 183 J. Verry Eckley 11-11-41. R.D.S. 2/16/42 Rec'd $2.16 costs J. V. E.	Liberty Dry Cleaners vs. Clyde W. Beers Entered Feb. 12, 1940 Tax on entry (paid) 1.50 Costs on Trans. (2.00) 11.61 Pro. for Co. 2-16-42. Pd. 4.70 Atty. 3.00	Appeal by plaintiff from Judgment of John A. Bolard, Esq. J.P. Feb 16, 1940. Proof of notice to deft. of filing appeal, filed. June 22, 1940, Statement of claim filed. On Spring Trial List, 1941, No. 14. March 3, 1941, Continued by agreement of counsel. Per Curiam. On Fall Trial List, 1941; No. 13. Oct. 9, 1941, Continued on application of deft. Per Curiam.

And now Feby. 16, 1942, at the direction of plaintiff's attorney by paper filed, the above entitled case is settled and discontinued of record. All costs paid.

Paul O. Slayton,
Prothonotary.

Herbert A. Mook
1.

Gertrude Ellen Walker
vs.
Albert Francis Walker
Issued Feb. 12, 1940

Tax & writ paid 4/22/40	3.00
Shiff Smith paid	1.60
Shff. Smith, alias	1.60
Shff. Smith, proc.	11.15
Master	25.00
Pros. for Co. 9/11/40. Pd.	10.00
Atty	3.00

Subpoena re annulment of a supposed or alleged bigamous marriage

And now, February 12, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to the first Monday of April, 1940.

Per Curiam,
O. Clare Kent, P.J.

And now, April 1, 1940, writ returned. Non est inventus, as to the within-named respondent. So answers, Harry B. Smith, Sheriff.

May 27, 1940. Alias subpoena in Divorce issued, returnable to the first Monday of July, 1940.

Alias Subpoena retd: July 1, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Shff.

July 26, 1940, Order for publication of Sheriff's proclamation in Divorce issued, returnable to first Monday of Sept. next.

And now, Sept. 3, 1940 ---- I have made proclamation in the above entitled case, according to law, and caused the same to be published in the Enterprise News, Cambridge Springs, Penna., a newspaper printed within my bailiwick, once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached. So answers Harry B. Smith, Shff.

And now, Sept. 9, 1940, A.D. Andrews, Esq. is appointed Master to take testimony and make report thereon to the Court. (See paper filed.) Cert. issued. Per Curiam.

Nov. 23, 1940, Testimony and Report of Master filed.

On Argt. List for Nov. Term, 1940, No. 57.

Dec. 4, 1940, After due consideration it is hereby decreed that the supposed or alleged marriage heretofore attempted to be contracted between libellant, Gertrude Ellen Walker, and respondent, Albert Francis Walker, was and is wholly and absolutely null and void to all intents and purposes whatsoever. And the Court further decrees that the said Gertrude Ellen Walker, shall be at liberty to marry again, in like manner as if the said supposed and alleged marriage had never taken place. Per Curiam.

Decree.

And now to wit December 1940 this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence thereto duly taken and filed of record and report of the master thereon. And it appearing to the court that the charge contained in the libel is sustained by the evidence, to wit: that the respondent had been lawfully married with one Gladys M. Walker, at a date previous to the marriage of libellant, who at the time of the presentation of the libel was still living and had never been divorced from respondent, and thereupon consideration thereof it is ordered

(Court on margin)

Sept. 9, 1940: Received $5.00 costs from Pros.

Nov. 27, 1940. Rec'd $25.00 Master's fee from Pros. Paul D. Clayton

A. Dickson Andrews
Master

adged and decreed that the supposed marriage contracted celebrated between her the d Gertrude Ellen Walker the ellant and the said Albert cis Walker the respondent the first day of June, 1926 at land, Ohio, be and the same hereby declared and decreed ll and wholly null & void; and that respon from all and every the ties, rights and claims arising to either the said ellant or the said respondent anything heretofore in pur ce of said supposed marriage, ll and do cease and termine; and the said trude Ellen Walker the ellant, shall be at liberty marry again in like manner as if she had never been married

per Curiam.

Kenneth W. Rice 2	Petition of William Wallace Kincaid to Sell real estate located in West Mead Township, Crawford County, Penna, to Raymond A. Lewis and Katherine E. Lewis; Clara G. Kincaid, wife of petitioner having been adjudged incompetent, &c. Entered Feb. 12, 1940 Pro. Slayton 2/14/15 Paid 5.00	Feb. 12, 1940, Petition with Exemp from Niagara County, N.Y. attache presented in open Court and filed. And now, to wit, this 12th day of February, 1940, upon presentation of the foregoing petition and consideration of the same it appearing to the Court that William Wallace Kincaid, the petitioner, is seized and possessed of land located in West Mead Township Crawford County, Pennsylvania, as described in the petition, that the wife of said petitioner is non compos mentis, and that it is to the interes of the petitioner that the aforesaid real estate be sold, it is therefore ordered, adjudged and decreed, that the said William Wallace Kincaid be and is hereby authorized to make sale of the real estate described in the foregoing petition and that such sale shall divest said premises from any estate or claim of dower of his said wife, Clara G. Kincaid. Per Curiam, O. Clare Kent, President Judge. (See paper filed) Description of real estate as set forth in above mentioned petition: "All that certain piece or parcel of land located in West Mead Township, Crawford County, Pennsylvania bounded and described as follows, to wit: Being Lot No. 47 on the Plot or Survey of Samuel McCain's College Park Addition, which said plot is recorded in the Records of Crawford County, Pennsylvania, in Deed Book #195, page 701." "That he acquired title to said lot by will of his mother, Margretta O. Boyle, an exemplification of said will being registered Nov. 2, 1923, in the Records of Crawford County, Penna, in Will Book R. at page #94."

F. Joseph Thomas
3

Sara E. Greene
vs
Herschel E. Greene
Issued Feb. 12, 1940

Tax & writ (paid) $3.00
Shff. Smith (paid) 3.20
A. D. Andrews, Master 25.00
Pro. for Co. 5/7/40. Pd. 8.10
Atty. 3.00
42.30

Subpoena in Divorce.
And now, February 12, 1940, Subpoena awarded; Returnable to the first Monday of April, 1940.
Per Curiam,
O. Clare Kent
President Judge

Subpoena returned: Served the within Subpoena in Divorce on the Respondent, personally, on the 16th day of February 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.
So answers Harry B. Smith, Sheriff

May 6, 1940. Rec'd $35.00 costs. P. D. S.

And now, May 6, 1940, A. D. Andrews, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.
Per Curiam.

May 14, 1940. Testimony and Report of Master filed.
On Argument List for May Term, 1940, No. 36.

May 14, 1940. Paid $25.00 Master's fee
A. Dickson Andrews

Now June 14, 1940, after due consideration a divorce is decreed as prayed for and the respondent, Herschel E. Greene, is ordered to pay the costs of this proceeding.
Per Curiam,

Aug 13, 1940 rec'd $1.60 refund
F. Joseph Thomas

Decree: And now, to-wit: June 14, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence thereon, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged, and decreed that the said Sara E. Greene be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Sara E. Greene, the libellant, and the said Herschel E. Greene, the respondent; and that thereupon all and every the duties, rights, and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

Stuart A Culbertson
4

Hugh Moore
vs
S A McCracken
Issued Feb. 12, 1940

Pro. Slayton (paid 2/27/40)		2.25
Shff. Smith (paid)		5.10
Pro. Slayton since (paid 3/5/40)		2.00
Atty		3.00
		17.35

Of No. 234 February Term, 1940 D&B
Scire Facias to revive and continue the lien of the above judgment; Returnable to first Monday of March, 1940
Mc page 28

Feb. 17, 1940, Amicable Scire Facias and Confession of judgment by deft filed.

It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been served personally on the defendant by the Sheriff of said County and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Two hundred sixty-eight and 81/100 Dollars, being the amount of debt, interest to Feb. 12, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt	268.81
Attys. com. included?	
Interest from Feb. 12, 1940	

Mc page 28. Judgment
Paul D. Slayton, Pro

Writ returned: Served the within Sci. Fa. on S.A. McCracken, on Feb. 20, 1940, at 3:45 P.M., at his residence in East Fairfield Tp., by handing him a true and attested copy thereof, and making contents of same known to him. So answers Harry B. Smith, Sheriff

Apl 28th 1943
Rec'd of S A McCracken Three Hundred Dollars on this Judgment
E. S. Vincent

May 5, 1947 In consideration of the sum of $300.00 in hand paid to me by E. S. Vincent Cochranton I hereby set assign transfer and set over unto the said E. S. Vincent of Cochranton Pa. this judgment with full power and right to sue and collect thereon

Witness: Paul D. Slayton
Hugh Moore

tuart A. Culbertson 5	Home Owners Loan Corporation vs. John A. Dean and Giva E. Dean, his wife. Entered Feb. 13, 1940 # Tax & entry pd. 6-5-40-3.50 Atty 3.00	Amicable Action of Ejectment for premises situate at No. 1156 Liberty Street in Third Ward, City of Meadville, with a six room house erected thereon. Feb. 13, 1940, Amicable Action and confession of judgment, affidavit of default and original lease filed. It is agreed that the above action be entered, as if a summons had been regularly issued out of said Court at the suit of the said plaintiff, against the defendants on the certain lease hereto annexed, and had been duly served and so returned by the Sheriff; and that a judgment be entered thereon in favor of the plaintiff, without any stay of execution or appeal, or writ of error, or objection or exception. This judgment in ejectment for said premises is entered upon the termination of said lease by virtue of default in payment of rent according to the terms of said lease, whereby the same became in arrears and unpaid; that under the terms of said lease, said lease shall terminate upon expiration of the term thereof, without any further notice to either party, and notice to quit said premises was given by the plaintiff to defendants, on January 10, 1940. (See paper filed) D. page 111 Judgment Feb 3, 1940 Paul D. Slayton, Pro Hab. Fac. Poss., with clause of Fi. Fa. to No. 2 May T. 1940

Paul E. Thomas
6
Kenneth W. Rae
Attest: March 22, 1940 /gw-m.

Velma G. Morris
vs
John P. Morris
Issued Feb. 13, 1940

Subpoena in Divorce

And now, Feby 13, 1940, Subpoena awarded, Returnable to first Monday of April next.

Per Curiam,
O. Clare Kent, P.J.

Tax writ (paid) $ 3.00
Shff. Smith (paid) 1.60
Pro. for Co. 4/2/40 Pd. 8.10
J. E. Henretta, Master 25.00
Atty. 3.00

Subpoena returned April 1, 1940: Non est inventus as to the within named respondent.

So answers Harry B. Smith, Sheriff.

And now, April 1, 1940 J. E. Henretta, Esq., is hereby appointed Master as prayed for.

Per Curiam.

Apr. 1, 1940, Recd. $35.00 costs.
P.D.S.

Apr. 10th 1940, Recvd any fees
re Master $25.00
J. E. Henretta,
Master,

aug 10, 40 Recd refund $1.90
P. E. Thomas

April 10, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 37.

Now June 14, 1940 after due consideration a divorce is decreed as prayed for and the respondent, John P. Morris, is ordered to pay the costs of this proceeding.

Per Curiam,

And now, to wit: June 14, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Velma G. Morris be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Velma G. Morris the libellant, and the said John P. Morris, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Decree. And now to wit September 27th A.D. 1940 this cause came to be heard on libel, subpoena, subsequent proceedings, and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed, That the said Paul Mangilo be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him the said Paul Mangilo the libellant and the said Violet Mangilo the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Stuart A. Culbertson

7

Linesville State Bank now use of Farmers and Merchants Bank of Linesville

vs

Gladys M. White and C. J. White, her husband

Issued Feb. 13, 1940

Pro. Slayton 3/22/40 Rd. $ 2.25
Shiff. Smith Rd. 2.50
Pro. Slayton 4/1/40 Rd. 2.00
Atty 3.00

Of No. 62 November Term, 1939. Aff. Doc.

Scire Facias to revive and continue the lien of the above judgment, with notice to Gladys M. White and C. J. White, her husband, terre tenant. Returnable to first Monday of March, 1940.

Wh. pages 126 & 112

March 22, 1940. Amicable Def. Fa. and confession of judgment, signed by Def. Gladys M. White, filed; whereupon, judgment is entered in favor of the plaintiff and against the defendants, Gladys M. White, for the sum of Four thousand six hundred eighty-eight and 68/100 Dollars, "being the amount of debt, interest to Sept. 4, 1939, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note."

Debt 4688.68.

Interest from Sept. 4, 1939.

"Wh." page 126. Judgment

Paul D. Slayton, Pro.

May 13, 1940: Release from lien of above judgment filed by plaintiff on all that certain piece or parcel of land situate in Linesville, Crawford County, Pa., bounded as follows: East along land of Mrs. Hazel Stevens 175 feet, South along land of H.O. Studevant 53 feet, West along land of Elmer Reynolds 175 feet, North by Wallace Street 53 feet. Also one lot situate in Linesville bounded thus: South along land formerly owned by O.H. Gram 100 feet to land formerly owned by Mrs. Butler, thence West 97 feet to land of Ella J. Collins, thence north 100 feet to Compact Street thence east 97 feet to place of beginning, and having erected thereon a frame house. Also on another piece of land in Linesville Starting at northwest corner of land formerly of William E. Brown, thence South 25 feet, thence West 40 feet, thence north 25 feet, thence east 40 feet to place of beginning and having erected thereon a frame barn. (See papers filed.)

9/13/40. Writ retd.: Now, March 4, 1940, no service as to Gladys M. White and C. J. White, her husband, defendants.

So answers,

Harry B. Smith, Sheriff.

January 22, 1941. We have released from the lien of this judgment all that certain piece of land situate in Linesville Crawford Co. Pa bounded & follows: Beginning at the southeast corner of land of Leo M. and Clara F. Ladner, on the west line of Pennsylvania St. thence running north along the west line of said St. 50' to a stake; thence west 165' along land of Gertrude N. Romeyn to Pine alley; thence south along the east line of said Pine alley 50' to the northwest corner of land of said Leo M. and Clara F. Ladner; thence east along land of said Leo M. and Clara F. Ladner 165' to the place of beginning containing 8250 sq. ft. Land formerly owned by Linesville Bank

By Stuart A. Culbertson Atty in fact.

Feb. 20, 1941. Received satisfaction in full of above judgment, Debt, Interest and costs, and hereby authorize the Prothonotary to satisfy the same of record.

Farmers & Merchants Bank of Linesville, Pa.
By Stuart A. Culbertson
Atty in fact

Sat. paid. 2.25
Paul D. Slayton Pro.

Feb 20, 1941 received of Paul Slayton 3 dollars and one cent in full of all costs due Sheriff

Harry B. Smith Sheriff

F. C. Kiebort, Jr.
8

May 6, 1940: Received $35.00 costs and master's fee. Pro. Sleyton & Fitz.

May 16, 1940 Rec'd $25.00 on account fee Walter J. McClintock.

Aug. 9, 1940 received 1.20
F. C. Kiebort Jr.

Kathryn V. Schweitzer
vs.
Clyde H. Schweitzer
Issued Feb. 13, 1940

Tax & writ 2/15/40	pd.	3.00
Shff. Smith	(pd.)	3.50
Walter J. McClintock, Master		25.00
Pro. for Co. 5/6/40	Pd.	8.10
Atty.		3.00

Subpoena in Divorce and for custody of minor child Thomas Schweitzer, born May 11, 1937.

And now, February 13, 1940, Subpoena awarded; returnable to the first Monday of April, 1940.

Per Curiam
O'Clare Kent, P.J.

March 8, 1940: Writ returned: Served the within Subpoena in Divorce on the Respondent, personally, on the 19th day of Feb. 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof, as appears from affidavit as annexed. No answer, Harry B. Smith, Sheriff.

And now, May 6th 1940, Walter J. McClintock, Esq., is hereby appointed Master to take testimony in the above entitled case and make report thereon to the Court. Per Curiam.

May 16, 1940. Testimony and Report of Master filed.

Ord. Argument List for May Term, 1940, No. 8.

Now June 18, 1940 after due consideration a divorce is decreed as prayed for, the respondent, Clyde H. Schweitzer, is ordered to pay the cost of this proceeding and the custody of minor child, Thomas Schweitzer, is awarded to libellant Kathryn V. Schweitzer.

Per Curiam,

Decree: And now, to-wit: June 18, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Kathryn V. Schweitzer be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Kathryn V. Schweitzer, the libellant and the said Clyde H. Schweitzer, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. It is further ordered and decreed that the custody of minor child, Thomas Schweitzer, is awarded to libellant, Kathryn V. Schweitzer. Per Curiam.

MAY TERM, 1940

J. Perry Eckels 9	George H. Baussman and Philip Baussman co-partners under the firm name of Baussman Bros, vs. Thomas Trefiletti Issued Feb. 14, 1940 Tax & writ (Atty paid) 3.00 Skiff Smith	Foreign Attachment in Assumpsit, Returnable to the first Monday of March, 1940. Bail required $384.50. To attach goods, chattels, moneys, rights, credits and effects, lands and tenements of the defendant in the hands, possession and custody of any person or persons whomsoever found, and summon them as garnishees.

Kenneth W. Rice
10

May 2, 1941 I hereby acknowledge that I have received $3.00 docket fee from the Howard Williams Estate.
Kenneth W. Rice
attorney

And now Feb. 10th 1941, Recd from Frank E. Williams, defendant four hundred and fifty ($450.00) dollars to apply on the within judgment; Balance due on interest and costs $27.80. (Includes docket fee.)
T.W. Smock

And now May 2, 1941 in consideration of the sum of $27.80 I hereby sell, assign transfer & set over all my right, title & interest in & to the within judgment, debt, interest & costs being $27.80 with interest from Feb. 10, 1941 to Herman G. Williams, R.R. #5, Meadville, Pa. Administrator of the Estate of Howard Williams
T.W. Smock (Seal)
Plaintiff

Attest: Kenneth W. Rice
J.E. Bonnus, Atty

Continued on 655
Back

T. W. Smock Meadville, Pa.
vs.
Frank E. Williams,
Preston Seeley,
Howard Williams
and Herman G.
Williams, Guardian
of Howard Williams,
a weak minded
person.
Issued Feb. 14, 1940

Pro. Slayton (Paid) 2.75
Sheff. Smith (Paid) 10.80
Pro. Slayton (Paid 4/25/40) 2.75
Atty 3.00
Plff. on Orig'l 1.75
$21.05

Of No. 276 November Term, 1934 D.S.B.
Scire Facias to revive and continue the lien of the above judgment. et quare executionem non; Returnable to first Monday of March, 1940.
Wi. Jfk. 114, 904, 134; Se. fr. 104
Feb. 14, 1940, Suggestion filed that Defft. Howard Williams was on May 1, 1939, adjudged to be a person of weak mind, and Herman G Williams appointed his Guardian.
Feb. 14, 1940, Statement of claim filed.
Writ returned: Served the within Sci. Fa. together with copy of Statement of claim, on Frank E. Williams, by serving Mrs. Frank E. Williams she being an adult member of the family, namely, his wife, at their residence in Greenwood Township, Crawford County, Pa., on Feb. 17, 1940, at 3 o'clock P.M., by handing to her a true and attested copy thereof, together with copy of statement of claim, and making contents of same known to her. Also, served the within Sci. Fa. and Statement of claim on Preston Seeley at his residence in Greenwood Tp., Crawford County, Pa., on Feb. 17, 1940, at 2:20 o'clock P.M., by handing to him a true and attested copy thereof, and making contents of same known to him. Also, served the within Sci. Fa. and Statement of claim, on Howard Williams, by serving Herman G. Williams, Guardian of Howard Williams, a weak minded person, on Feb. 19, 1940, at 9:10 o'clock A.M. at No. 360 Center Street, City of Meadville, Pa., by handing to him a true, and attested copy thereof, and making contents of same known to him. (Return as to service on said Guardian is repeated).
So answers Harry B. Smith, Sheriff.
And now, April 9, 1940, On motion of plaintiffs attorney, judgment is entered against the defendant and in favor of the plaintiff, for want of an affidavit of defense; and same liquidated at the sum of Four Hundred Thirty-eight and 75/100 Dollars with interest from February 13, 1940 with costs. (See paper filed)

Debt $438.75
Int. from Feb. 13, 1940
Judgment
Paul D. Slayton, Pro.

"Wi" pages 90, 114, 134; "Se" fr. 104.

And now May 31st 1941, in consideration of the sum of Five dollars I hereby sell, assign, transfer and set over unto Calvin E. Williams No. 31, Pleasant Ave. Jamestown, Chautauqua County, N.Y. Debt being $27.80, with interest from Feb. 10th 1941.
Witness: Paul D. Slayton
Herman G. Williams (Seal)
Administrator of the estate of Howard Williams, dec'd

MAY TERM, 1940

Kenneth W. Rice
11

J. W. Smock Renovo, Pa,
vs.
Frank E. Williams,
Preston Seeley,
Howard Williams,
and Herman G. Williams, Guardian of
Howard Williams,
a weak minded person
Issued Feb. 14, 1940

Pro. Slayton (paid)	2.75	
Stff. Smith (paid)	7.10	
Pro. Slayton paid 4/25/40	2.75	
Atty	3.00	
Plff. on Orig'l.	1.75	
	17.35	

Of No. 277 November Term, 1939
Sci. Fa. to revive and continue the lien of the above judgment, et quare executionem non,
Returnable to first Monday of March, 1940 Wi. pp. 114, 134; Se. p. 104
Feb. 14, 1940, Suggestion filed that on May 1, 1940, Deft. Howard Williams was adjudged to be a person of weak mind, and Herman G. Williams appointed his guardian.
Feb. 14, 1940, Statement of claim filed.
Writ returned: Served the within Sci. Fa., together with copy of Statement of claim on Frank E. Williams, by serving Mrs. Frank E. Williams, she being an adult member of the family, namely, his wife, at their residence in Greenwood Township, Crawford County, Pa., on Feb. 17, 1940, at 3:0 o'clock P.M., by handing to her a true and attested copy thereof, and making contents of same known to her.
Also, served the within Sci. Fa. and Statement of claim, on Preston Seeley, at his residence in Greenwood Tp., Crawford County, Pa., on Feb. 17, 1940, at 2:20 o'clock P.M., by handing to him a true and attested copy thereof and making contents thereof known to him.
Also, served the within Sci. Fa. and Statement of claim, on Howard Williams, by serving Herman G. Williams, Guardian of said Howard Williams, a weak minded person, on Feb. 19, 1940, at 9:10 o'clock A.M., at No. 360 Center Street, City of Meadville, Pa., by handing to him a true and attested copy thereof, and making contents of same known to him.
(Return of service as to said Guardian is repeated)
So answers Harry B. Smith, Sheriff.
And now, April 9, 1940 On motion of plaintiff's attorney, judgment is entered against the defendants and in favor of the plaintiff, for want of an affidavit of defense, and same liquidated at the sum of Four Hundred Thirty-eight and 75/100 Dollars, with interest from February 13, 1940, with costs. (See paper filed)

Debt # 438.75
Int. from Feb. 13, 1940
"Wi" pages 90, 114, 134; "Se" p. 104 Judgment
Paul D. Slayton, Pro.

And now, May 2, 1941, in consideration of the sum of Twenty-one dollars and 93 cents (#21.93) I hereby assign, transfer and set over unto Kenneth W. Rice, Esq., Pa. D.S., Meadville, Pa., all right, title and interest and to the within lgment, debt, interest e costs, as follows:—
#438.75 Debt
21.93 Interest to May 2-1941.
12.60 Costs
.75 assignment.
474.03
J. W. Smock (Seal)
Plaintiff.
Test: Kenneth W. Rice
J. E. Bonnell, Atty

And now May 31st 1941, in consideration of the sum of thirty one ($31.00) dollars I hereby sell, assign, transfer and set over unto Elvery E. Williams, of No. 31 Elmwood Avenue, Jamestown, Chautauqua County, New York, debt being four hundred seventy four dollars and three cents (#474.03) cents, with interest from May 2nd 1941. Herman G. Williams Seal
Administrator of the Estate of Howard Williams, deceased.
Witness: Paul D. Slayton

Continued on Page 655

Charles B Stegner 12	Titusville Building and Loan Association vs. Lucian M Sibley and Opal J Sibley Entered Feb. 16, 1940 Pro. Slayton (paid) 2.25 Atty 3.00	Of No. 249 February Term, 1935 Amicable Scire Facias sur Judgt It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of One Hundred Forty-seven ($147.00) Dollars, being the amount of debt, interest to February 19, 1935, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt $147.00 Int. from Feb. 19, 1935 Si. page 75. Judgment Paul D. Slayton, Pro.

13

Commonwealth of Pennsylvania ex rel Vada Collins & Harry B. Smith
vs.
Denzel Collins, an alleged inebriate
Entered Feb. 17, 1940
Pro. Clayton $5.00

Feb. 17, 1940. Petition of Vada Collins and Harry B. Smith for commitment of Denzel Collins, an alleged inebriate, with Exhibits A, B, C & D annexed, filed.

And now, to wit, the 16th day of Feby, 1940, upon the within petition and certificates, let a warrant issue to bring the alleged inebriate before us for a hearing on the 19th day of Feby, 1940, at 1:30 P.M.

(Sgd) Per Curiam
O. Blare Kent, P.J.

Same day, Warrant issued

And now, Feby 19, 1940, upon consideration of the within petition and the exhibits and certificates thereto attached, and after hearing duly held as required by law, the Court is satisfied that Denzil Collins is an inebriate and a proper subject for ~~for~~ desition care and treatment in a hospital or institution for inebriates or for mental diseases.

It is therefore ordered, adjudged and decreed that said Denzel Collins is an inebriate and that he be and hereby is committed to the Warren State Hospital, there to remain for one year, unless sooner discharged according to law.

Per Curiam,
O. Blare Kent, P.J.

Same day, Commitment issued.

Paul E. Thomas
14

July 17, 1940: Received $35.00 costs. P.D.S. Sgm.

July 31, 1940. Received of Paul D. Slaytm Pro. $25. on Master's fee
A Dickson Andrews

Oct 21, 1940 Recd of Pro. 90¢. refund. P.E. Thomas

Gladys DeRemer a minor, by Edith Phelps, her guardian
vs
LeRoy DeRemer
Issued Feb 19, 1940

Tax & writ (paid)		3.00
Stff. Smith		1.60
Stff. Smith, alias (pd)		1.60
Stff. Smith, pluries (pd)		2.60
A.D. Andrews, Master		25.00
Pro. Fee Co. 10-4-40. Pd.		9.10
atty.		3.00

Subpoena in Divorce
And now, Feby 19, 1940 Subpoena awarded, Returnable to first Monday of April next.
Per Curiam
Oblare Kent, P.J.

Subpoena returned April 1, 1940. Non est inventus as to the within named respondent.
So answers Harry B. Smith, Stff

April 3, 1940, Alias Subpoena in Divorce issued, returnable to second Monday of May next.

May 22, 1940: Writ returned: Non est inventus as to the within named respondent. So answers, Harry B. Smith, Sheriff

May 22, 1940: Pluries subpoena issued returnable to the first Monday of July, 1940.

Writ returned: Served the within Pluries Subpoena in Divorce on the Respondent personally, on the 6th day of June, 1940 by delivering to him a true and attested copy of the same and making known to him the contents thereof, as appears from affidavit as above. So answers Harry B. Smith, Sheriff

And now, July 17th, 1940, on motion in court, A.D. Andrews, Esq., is appointed Master to take testimony in this case, and make report thereon to this court. Per Curiam. (See papers filed)

July 31, 1940, Testimony and report of Master filed.

On Arg'l List for Sept. Term, 1940, No 33

Now Sept. 27, 1940, After due consideration a divorce is decreed as prayed for and the respondent, LeRoy DeRemer, is ordered to pay the cost of this proceeding. Per Curiam,

Decree And now to-wit: September 27, A.D. 1940, this cause came on to be heard on libel, subpoena, no subsequent proceedings, and evidence there in duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed that the said Gladys DeRemer, be divorced and forever separated from the nuptial ties and bonds of Matrimony there to-fore contracted between the said Gladys DeRemer libellant and the said LeRoy DeRemer respondent, and that the libellant and the respondent shall severally be at liberty to marry again in like manner as if they had never been Married. Per Curiam.

15

M. L. Skelton, now use of Vernon G. Derian, Executor of John G. Derian, deceased,
vs
Eva Bajus and Petro or Peter, Bajus.
Entered Feb 19, 1940

Pro. Slayton (paid) $ 2.25

Costs on original:
Use of Cliff $ 4.00
Atty C. L. Webb 3.00
Shff. Nichols, F. Fa

Of No. 257 February Term, 1935, D. & B
Amicable Scire Facias sur Judgment
It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned, and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of Thirteen hundred Dollars, being the amount of debt, interest to February 25, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $ 1300.00
Int. from Feb. 25, 1940.
Ba. page 51. Judgment
Paul D. Slayton, Pro.

John H. Bozic
16

Eleanor Cathrine Stearns
vs.
Clyde B. Stearns
Issued Feb 19, 1940

Tax Writ (paid) $3.00
Shff Smith (paid) 3.20
Paul E. Thomas, Master 25.00
Pro. for Co. 5-6-41. Pd. 8.10
atty. 3.00

Subpoena in Divorce.

And now, February 19, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to the first Monday of April, 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 7th day of March, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.

So answers Harry B. Smith, Sheriff

And now, May 5, 1941, Paul E. Thomas, Esq, is appointed Master to take testimony in the above entitled case and make report to the Court,

Per Curiam.

May 12, 1941, Testimony and Report of Master filed.

On Argt. List for May Term, 1941; No. 35.

June 2, 1941, After due consideration a divorce is decreed as prayed for and the respondent, Clyde B. Stearns, is ordered to pay the costs of this proceeding.

Per Curiam,
O. Clare Kent, P.J.

And now to wit, June 2- A.D. 1941 this Cause coming on to be heard on libel subpoena subsequent proceedings and evidence thereon, duly taken and filed of record and it appearing to the Court that the Cause set forth in said libel are true it is by the Court ordered adjudged and decreed, That the said Eleanor Cathrine Stearns be divorced and forever seperated from the nuptial ties and bonds of Matrimony heretofore contracted between the said Eleanor Cathrine Stearns the libellant and the said Clyde B. Stearns the respondent and that thereupon all & every the duties Rights & Claims accruing to either the said libellant or the said respondent at any time hereafter in person and of said Marriage shall cease and determine: And the said libellant and said respondent shall severally be at liberty to marry again in like manner as if they had never been married

Per Curiam

May 5, 1941, Recd. $35.00 costs.
P. D. S.

May 12, 1941 Recd of Orvilla $25
Master fee.
Paul E. Thomas.

6/12/41 Received of Paul Shuyton refund of $1.90 on above costs.
John H. Bozic
Atty.

2 Perry Eckels
Lyndon C. Shreve
17

Cecile Shreve Munn
vs.
James C. Munn
Issued Feb. 20, 1940

Tax & writ 2/22/40 Pd. $ 3.00
Shff. Smith (paid) 3.20
Donald C. Thompson, Master 25.00
Pro. for Co. 4/2/40 Pd. 8.10
Atty. 3.00

Subpoena in Divorce.
And now, February 20, 1940, Subpoena awarded, returnable to the first Monday of April next.
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 23d day of February, 1940 by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.
So answers Harry B. Smith, Sheriff.

And now, April 1, 1940, Donald C. Thompson, Esq., is appointed Master to take testimony in the above entitled case and report to the Court,
Per Curiam.

May 2, 1940. Testimony and Report of Master filed.
On Argument List for May Term, 1940, No. 38.

Now June 14, 1940 after due consideration a divorce is decreed as prayed for and the respondent, James C. Munn, is ordered to pay the costs of this proceeding.
Per Curiam,

Decree: And now, to-wit: June 14, A.D. 1940, this Cause came on to be heard on libell, subpoena, subsequent proceedings and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Cecile Shreve Munn be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Cecile Shreve Munn, the libellant, and the said James C. Munn, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

Nov. 1, 1940. Recd. $33.10 costs
P.D.B.

2-1940 - Rec'd $25.00 master's fee D.C. Thompson

W. J. Sirdevan
18

Ida Lenn Root
vs.
Cyrus Root
Issued Feb 20, 1940

Tax writ (paid) $ 3.00
R. B. Mahany, Master 25.00
Pro. for Co. 4/2/40 Pd. 8.10
Atty. 3.00

Apr. 2, 1940. Rec'd $ 33.10 costs.
P. D. S.
Apr. 22, 1940. Paid by Check
No. 665 Master fee to R. B. Mahany
P. D. S.

Subpoena in Divorce.
And now, February 20, 1940, Subpoena awarded, Returnable to first Monday of April, 1940.
Per Curiam
O Clare Kent, PJ

Subpoena returned: M. A. Lesko, Police officer of the City of Titusville, makes affidavit: That on the 22d day of February, 1940, in the City of Titusville, Pa, he served a true and attested copy of the within Subpoena on Cyrus Root, the respondent within named, by delivering the same to and leaving it with him, and at the same time making known to him the contents thereof; that deponent knows the person so served to be the respondent within named. (See affidavit on Subpoena in divorce)

And now, April 1st, 1940, R. B. Mahany, Esq., is appointed Master as within moved,
Per Curiam,

April 22, 1940, Testimony and Report of Master filed.
On Argument List for May Term, 1940, No. 39.

Now June 20, 1940 after due consideration of the testimony taken in this case we can but conclude that there is not such a case made out as justifies the granting of a decree as prayed for. Wherefore the libel is dismissed and a divorce is refused.
Per Curiam,

J. Perry Eckels

19

Petition of Commonwealth of Pennsylvania, by J Perry Eckels Attorney, for appointment of a Guardian for De Forest J. Burch, as a person of weak mind
Entered Feb. 20, 1940

Pro. Slayton 5/6/40 cd. # 5.00 3.50

Feb. 20, 1940, Petition presented to Hon. O Clare Kent, P.J, and filed
Bu page 148.

And now February 20th, 1940, upon presentation of the within petition and due consideration of the same a hearing is set for the 4th day of March, 1940, at 9:30 o'clock A.M., ten days written notice to be given to the said De Forest J. Burch.

Per Curiam,
O Clare Kent, PJ

(See petition)

March 4, 1940, Proof service of notice of hearing upon respondent, filed.

Now, April 1, 1940, It appearing that the respondent, Deforest J. Burch, is a resident of Corry, Erie County, Penna, by reason of which the Court is without jurisdiction to hear and determine the issue involved, the petition of the Commonwealth is dismissed.

Per Curiam,
O Clare Kent, PJ

(See back of original petition)

McDonald & Kraffert
20
Kent & Kent,
English, Quinn, Leonhuis
& Taynton.

J. W. Johnson
vs.
Chas. Horn Silk Co.
Issued Feb. 21, 1940

	$
Tax & writ (paid)	2.00
Shff. Smith (paid)	9.50
Pro. Clayton (pd 12/17/40)	4.00
Atty	3.00

Summons in Trespass,
Returnable to the first Monday of
March, 1940.
Feb. 21, 1940. Statement of claim
filed.
And now, March 1, 1940, Kent & Kent,
English, Quinn, Leonhuis & Taynton
appear for Chas. Horn Silk Co. the
defendant. (See paper filed)
And now, to wit, March 1, 1940, Rule
to show cause granted why State-
ment of Claim should not be
stricken off. Returnable sec. reg.
(See paper filed) Per Curiam

March 14, 1940, Amended Statement of Claim, filed.
Service by copy accepted by Kent & Kent.
And now, to wit, March 21, 1940, comes the defendant, Charles Horn Silk Co., and enters a plea of Not Guilty. (See paper filed)
Writ read: Served the within summons, together with copy of statement of claim, on the Chas. Horn Silk Co. by handing personally on Feb. 22, 1940, at 2:0 o'clock P.M., a true and attested copy of the within writ to R. N. Watson, the bookkeeper of said defendant company, at the office of the Chas. Horn Silk Company, North Brown Street, City of Titusville, Crawford County, Pa., and making contents of same known to him. So answers
Harry B. Smith, Sheriff

On Fall Trial List, 1940, No. 26,
Oct. 14, 1940, Continued by agreement of Counsel.
Per Curiam.

This suit discontinued by Counsel for Plaintiff — 12/12/40
McDonald and Kraffert
By C. J. McDonald

Attest: Dec. 12, 1940,
Paul D. Clayton, Pro.

J. Berry Eckels

21

Geo. T. Kirk, now use of
The Mead Oil Company
vs.
N. E. Vincamp, Deft.
and S. G. MacTarnaghan
Garnishee.
Issued Feb. 22, 1940

Tax & writ (Atty fee)	$2.75
Shff. Smith Rd.	4.90
Pro. S. 9-22-41. Pd.	3.00
Atty.	3.00

Of No. 387 November Term, 1939, D.S.B.
(See Fi. Fa. No. 35 Feb. Term, 1940)
Attachment Execution, Returnable to first Monday of March next
To attach all and singular the goods and chattels, rights and credits of the dept. in the hands of any person or persons whomsoever and especially in the hands or possession of S.G. MacTarnaghan, and summon him or them as Garnishees.

July 1, 1940, Interrogatories to Garnishee filed and rule entered to answer sec. reg. Two copies of Interrogatories and Rule issued.

9/16/40, Writ retd; Attached as within commanded, the goods, chattels, moneys and credits and effects of the Defendant, N.E. Vincamp, in the hands of S. G. MacTarnaghan, Garnishee on the 22 day of Feb. 1940, at 10:55 o'clock A.M., and declared in the presence of credible witnesses of the neighborhood, that the said goods, moneys, estate and effects were attached as the goods and effects of the defendant, in the hands of the said Garnishee; and at the same time, summoned the said S.G. MacTarnaghan, as Garnishee, by handing a true and attested copy of the within writ to him personally, at No 899 Park Avenue, City of Meadville, Crawford County, Pa. and on Feb 29, 1940, at 4:30 P.M. served the within writ on the defendant by handing a true and attested copy thereof to N.E. Vincamp, at No 910 Park Avenue, City of Meadville, Crawford County, Pa., and making contents thereof known to him.

So answers Charley Preston, Deputy Sheriff.
Harry B. Smith, Sheriff.

Sept. 12, 1941, Answers of Garnishee to Interrogatories, filed.

Sept. 15, 1941, Motion for judgement filed;

Order; And now, September 15, 1941, the within motion is allowed and judgment is hereby entered against the garnishee, S. G. MacTarnaghan in favor of plaintiff, for the amount admitted to be due in the answers to Interrogatories, to-wit: $40.61. Per Curiam,

O. Clare Kent, P.J.

M. - p. 82.

Sept 22, 1941, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Vern E. Clark
Atty for Plff.

J. A. Boland
22

Florence L. Gross
416 Second Ave. Tarentum, Pa.
vs.
Charles Drake
Entered Feb. 22, 1940

Pro. Slayton (Plff fd)	2.25
Atty	3.00
Costs on Orig.:	
Plff	1.75
Atty Boland	3.00

Of No. 265 February Term, 1935 D.S.C.
Amicable Scire Facias sur judgment
It is agreed That an Amicable Action to revive the above stated judgment be entered, with the same effect as if a writ of Scire Facias had been regularly issued therein, and duly returned served personally on the defendant; And the defendant hereby confesses judgment of revival herein in favor of the plaintiff against the defendant, for the sum of Seven Thousand One Hundred Sixty Dollars ($7,160.00) and such collection fees as may be provided in the original (to wit $250.00, which is included with costs of suit, release of errors, and with all the waivers and conditions contained in instrument on which the original judgment was entered with interest from March 1, 1940

Debt $7,160.00
Int. from March 1, 1940
Judgment
Paul D. Slayton, Pro

D. page 100.

✓ Apr 8-1942. This judgment is settled and discharged from record
J. A. Boland atty for Plff

∴ Joseph Thomas 23 eland J. Culbertson ee Asst of Defend)	Peter Tester vs. Noah Case and Elizabeth Case Issued Feb. 22, 1940 Tax & writ (paid) # 2.00 Shff Smith (paid) # 6.90	Summons in Assumpsit; Returnable to first Monday of March next. Feb. 22, 1940 Statement of claim filed. 2 copies certified March 8, 1940 Affidavit of defense and Counter-claim filed. Service accepted by Plffs. Atty. April 22, 1940: Writ returned: Served the within Summons together with Copy of Statement of Claim, personally on Noah Case, on February 23, 1940, at 2:40 o'clock P.M., at No. 360 Center Street, City of Meadville, Crawford Co., Pa., by handing to her a true and attested copy of the within Summons together with Copy of Statement of Claim and making contents of same known to her. Also served the within Summons, together with Copy of Statement of Claim, personally, on Elizabeth Case, on February 24, 1940, at 10:15 O'clock A.M. at No. 360 Center St., City of Meadville, Crawford County, Pa., by handing to her a true and attested copy of the within Summons, together with Copy of Statement of Claim and making contents of same known to her." No Answer, Harry B. Smith, Shff. April 29, 1940, Plffs reply to counter claim, filed. On Fall Trial List, 1940, No. 44. On Winter Trial List, 1941, No. 26. Janry 6, 1941. Continued on application of Plaintiff Per Curiam. On Spring Trial List, 1941, No. 29. March 3, 1941, Continued by agreement of counsel Per Cur. On Fall Trial List, 1941; No. 46.

F. C. Kibort, Jr
24

May 5, 1941, Recd. $35.00 costs.
P. D. S.

May 20, 1941 Rec'd of Pro
Slaytor $25.00 master fee
John Schuler
master.

June S. Collins
vs
William B. Collins
Issued Feb 23, 1940

	#
Tax writ (paid)	3.00
Shff. Smith (paid)	5.00
Shff. Smith, alias (pd)	1.60
Shff. Smith, proc (pd)	11.15
John Schuler, Master	25.00
Pro. for Co. 5-6-41, Pd.	10.00
Atty.	3.00

Subpoena in Divorce.
And now, Feb 23d, 1940, Subpoena awarded, returnable to first Monday of April, 1940.
Per Curiam,
O. Clare Kent, P. J.

Subpoena returned April 1, 1940. Non est inventus, as to the within named respondent.
So answers Harry B. Smith, Shff

April 1, 1940, Alias Subpoena in Divorce issued, returnable to first Monday of May next.

Alias Sub. retd: May 6, 1940, Non est inventus as to the within named respondent.
So answers Harry B. Smith, Shff

July 3, 1940, Order issued for publication of Sheriff's Proclamation in Divorce, returnable to first Monday of August next.

And now, Aug 5, 1940.--- I have made proclamation in the above entitled case according to law and caused the same to be published in the Enterprise News, Cambridge Springs, Pa., a newspaper printed within my bailiwick, once a week for three successive weeks as per copy of said proclamation and proof of publication hereto attached. So answers Harry B. Smith, Sheriff.

And now, May 5, 1941, John Schuler, Esq., is hereby appointed Master to take testimony in the above case and make report thereon to the Court.
Per Curiam,

May 20, 1941, Testimony and Report of Master filed.
On Argt. List for May Term, 1941; No. 36.

June 2, 1941 After due consideration a divorce is decreed as prayed for and the respondent, William B. Collins, is ordered to pay the cost of this proceeding. Per Curiam,
O. Clare Kent, P. J.

Decree
And now to wit; June 2 A.D. 1941 this cause coming to be heard on libel subpoena, subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged & decreed. That the said June S. Collins the libellant and the said Wm B. Collins the respondent; and that there upon all & every the duties, rights and claims accruing to either the said libellant or said respondent at any time hereto for or in consequence of said marriage shall cease and determine; and said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam

Kenneth W. Rice

25

American Automobile Insurance Company and Cecelia Stadler
vs.
Russel W. Osten
Issued Feb. 24, 1940

Tax & writ (paid) 2.00
Shff. Smith (paid) # 2.90
Shff. Smith, alias (paid) 2.50
Pro. alias 4/26/40 Pd. 1.50

Summons in Trespass; Returnable to first Monday of April next.

"And now, April 1, 1940, after diligent inquiry I was unable to find the within-named defendant, Russel W. Osten, in my bailiwick, and I therefore return this Summons non est inventus."

So answers, J.O. Bell, Sheriff, Venango Co.

"Writ returned non est inventus as to the within-named defendant, Russel W. Osten, as per return made by Sheriff of Venango County, Pa., hereto attached.

So answers, Harry B. Smith, Sheriff.

April 26, 1940, Alias summons in trespass issued; Returnable second Monday of May next.

Alias writ retd. May 13, 1940, Nihil habet as to Russel W. Osten, the within named defendant.

So answers Harry B. Smith, Sheriff.

Thomas & Kiebort
26

May 20, 1940. Recd $35.00 costs.
P.D.S.

May 25. 1940. Recd from Paul Clayton, $25.00 Master's fee. Geo. C. Magee Jr.

Aug 9-1940 Received of Pro-Clayton $1.40 refund on cost
F.C. Peters

Alice E. Antonson
vs
Edwin Antonson
Issued Feb. 26, 1940

Tax Writ 4/4/40 Pd.	3.00
Staff Smith et al (Pd)	11.25
George C. Magee, Master	25.00
Pro. for Co. 5/20/40, Pd.	8.10
Atty.	3.00

Subpoena in Divorce
And now, Feb 26, 1940, Subpoena awarded. Returnable to first Monday of April, 1940.
Per Curiam,
O Clare Kent, PJ

Subpoena returned. Served the within Subpoena in Divorce March 6, 1940 upon Edwin Antonson, whom I know by his own admission to be the respondent within named, at 326 Janeway Street, in the Borough of Kane, McKean County Pa., by making known to him the contents thereof, and by handing to him a true and attested copy of same personally.
So answers Geo. D. Calhoun, Sheriff of McKean
(6) Served the within Subpoena in Divorce upon Edwin Antonson, respondent, by deputizing the Sheriff of McKean County, Pa., as per his return hereto attached.
So answers, Harry B. Smith, Sheriff

And now, May 20, 1940, on presentation of within motion George C. Magee, Esq., is appointed Master to take testimony. Per Curiam.
May 24, 1940. Testimony and Report of Master filed.
On Argument List for May Term, 1940, No. 56.
Now June 18, 1940 after due consideration a divorce is decreed as prayed for and the respondent, Edwin Antonson, is ordered to pay the cost of this proceeding. Per Curiam,

Decree: And now, to-wit: June 18, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Alice E. Antonson be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Alice E. Antonson, the libellant and the said Edwin Antonson, the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine. And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

J. E. Bossard 27	Linna B. Henry vs. Glenn E. Henry Issued Feb. 26, 1940	Subpoena in Divorce. And now, February 26, 1940, Subpoena awarded, returnable to first Monday of April, 1940. Per Curiam, O. Clare Kent, P.J.
	Tax & writ paid 3/12/40 3.00 Shff. Smith (paid) 3.20 Pro. Disc. 9/4/40. Pd. 1.00	Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 29th day of February, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers Harry B. Smith, Sheriff.

And now, Sept. 3, 1940 On motion in open Court, leave granted libellant to discontinue all proceedings in the above entitled case upon payment of the costs. (See paper filed) Per Curiam.

Donald C. Thompson
28

James E. Jack
for Garnishees
(See Answers)

D. E. Olson
vs.
A. D. Alcorn, Deft
and Bernice McGinnett
and Second National
Bank of Titusville,
Pa., Executors of the
will of Gemella
Crawford Mars, decd
Garnishees.
Issued Feb. 27, 1940.
#
Tax writ paid 2-28-40 2.75
Shff Smith (paid 10/26/40) 1.90
Pro: Clayton Paid 2.25
J. E. Jack, Atty for Garn.

Now 10-21-40 - My fee received from Deft.
J. E. Jack, Atty for Garn.

Of No 282 May Term, 1937, D.S.B.
Attachment Execution;
Returnable to first Monday of April, 1940.
To attach all and singular the goods and chattels, rights and credits, monies and property of the defendant, in whose hands the same may be and especially in the hands of Bernice McGinnett and Second National Bank of Titusville Pa, Executors of the will of Gemella Crawford Mars, deceased, and to summon them as garnishees
Feb. 28, Pg to, Interrogatories to garnishees filed, & Rule entered to answer same in ten days after service.

Same day, Two certified copies of Interrogatories & Rule issued.
March 25, 1940, Answers of Garnishees filed.

Now, October 21, 1940 - This case settled and discontinued. [$104.55 rec'd from Garnishee's atty. in full.]

Donald C. Thompson, Atty. for Pltff.

Writ rec'd Mar. 22, 1940 Garnishees summoned and also served with certified copies of Interrogatories and Rule. (For Sheriffs return at length, see wr

F. L. Kiebort, Jr.
29

Rachel Caldwell
vs.
Earl W. Caldwell
Issued Feb. 28, 1940

Subpoena in Divorce and for the "complete care, control and custody of Sandra Lee Caldwell, her minor child, who was born on October 31, 1936" And now, February 28, 1940 Subpoena awarded; returnable to first Monday of April, 1940.

Per Curiam,
O. Clare Kent, P.J.

Tax & writ 3/21/40 Pd	$ 3.00
Shff. Smith et al (pd)	7.00
Shff. Smith, alias (pd)	1.60
Shff. Smith, proc (paid)	11.15
Frank D. Prather, Master	25.00
Pro. for Co. 9/4/40. Pd.	10.00
Atty.	3.00

Subpoena returned: Now, April 1, 1940 Non est inventus as to Earl W. Caldwell, Respondent.
So answers
Harry B. Smith, Sheriff.

(b) April 1, 1940, After diligent search and inquiry not finding the within named respondent, Earl W. Caldwell in my bailiwick, I return this Subpoena in Divorce N. E. I. So answers Alex Elliott, Shff. of Mercer County.

April 4, 1940, Alias Subpoena in Divorce issued, returnable to first Monday of May next.

Alias Subpoena returned: May 6, 1940, Non est inventus as to the within named respondent.
So answers Harry B. Smith, Sheriff.

~~July 3, 1940,~~ July 3, 1940, Order issued for publication of Sheriff's proclamation in divorce, returnable to first Monday of August next.

And now, Aug. 5, 1940, --- I have made proclamation in the above entitled case, according to law, and caused the same to be published in the Enterprise-News, Sandy Springs, Pa., a newspaper printed within my bailiwick, once a week for three successive weeks, prior to return day thereof, as per copy of said proclamation, and proof of publication hereto attached
So answers Harry B. Smith, Sheriff.

And now, Sept. 3, 1940, Frank D. Prather, Esq., is hereby appointed Master to take testimony in the above entitled divorce and to make report thereon to the Court.
Per Curiam,

Sept. 16, 1940, Testimony and Report of Master filed,

On Arg. List for Sept. Term, 1940, No. 34.

Now Sept. 27, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Earl W. Caldwell, is ordered to pay the cost of this proceeding, and the custody of minor child, Sandra Lee Caldwell, is awarded to the libellant, Rachel Caldwell,
Per Curiam,

Decree, and now to-wit Sept 27- A.D. 1940 This cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence there in duly taken and filed of record and it appearing to this Court that the cause set forth in said libellant's ~~libel~~ Libel is sufficient in law, it is by this Court ordered adjudged & decreed. That the said Rachel Caldwell ~~be~~ ~~divorced~~ ~~a vinculo matrimonii~~ seperated from the matrial ties and bonds of matrimony heretofore contracted between

In margin

3", 1940. Recd. $35.00 costs.
P. D. P.

on Sept 16 1940
Paid $25.00 costs.
Frank D. Prather.

the said Rachel Caldwell libellant and the said Earl Caldwell the respondent and the respondent shall every duties, rights & claims owing to either the said libellant or the said respondent by virtue hereto fore in issuance of said marriage & decreed by the said libellant and respondent shall severally & deputy to marry and in the case of the said libellant & they have never been married it is further decreed that the custody of the minor child Sandra Lee Caldwell, is awarded to the libellant Rachel Caldwell.

Per Curiam.

30

H. J. Custard
vs
Mrs Tillie Hollabaugh
and Frank Hollaugh
Entered Feb 29, 1940
Pro. Slayton Pd $2.25

Of No 309 November Term, 1934 Dkt
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary
of said Court enter an Amicable
Scire Facias upon the above judg-
ment, with the same effect as
a Scire Facias to revive the same
had been regularly issued, served
personally on the defendants
by the Sheriff of said County, and
duly so returned; and that a
judgment be entered thereon in
favor of the plaintiff and against
the defendants, for the sum of Two Hundred Fifteen
and 75/100 Dollars, being the amount of debt, interest
to May 25, 1934, and costs now due on the original
judgment; with all the waivers and condition
contained in the original judgment note.

Debt $215.75
Interest from May 25, 1934

No. page 24, 24. Judgment
Paul D. Slayton, Pro.

April 7, 1941, Writing filed wherein plaintiff releases from the lien of the above
judgment the following described property in West Mead Twp.: On the north
by land of Charles Mudder and land of Cadwalder; on the east by land of
Cadwalder; on the south by land of Frank S. and Tillie Hollabaugh; and
on the west by a public road known as the Williamson Road, fronting on
said road seventy-five feet. (See paper filed.)

June 15th, 1946
Received satisfaction in full of the
above Judgment, Debt Interest and
Costs, and hereby authorize the
Prothonotary to satisfy the same of
record. H. J. Custard
J. E. Barnard, Atty
Witness: Paul D. Slayton, Pro.

Joseph Thomas
31

Jack Roofner
vs
William L. Morse and the Crawford County Trust Company, Meadville, Pennsylvania Executors of the Estate of Susan E Camp, deceased.
Issued Feb 29, 1940
#
Tax & writ (paid) 2.25
Shff Smith (paid) 3.60
Pro. dis. (prd 10/30/40) 1.00

Summons in Assumpsit.
Returnable to the first Monday of April next. M.p. 192 Corp. p. 96, 6a Gp. 7
Writ returned: Now, March 4, 1940, service of the within summons was accepted by Walter J McClintock, Attorney for Defts. William L Morse and the Crawford County Trust Company, Meadville, Penn'a Executors of the estate of Susan E Camp, deceased.
So answers Harry B. Smith, Shff

And now Oct 30/1940 the above entitled case discontinued of record.
Fr. Joseph Thomas
Attorney for Plaintiff

Attest Oct. 30, 1940
Paul D. Slayton, Pro.

Geo. C. Magee, Jr.
(See Statement)
32
Kent & Kent;
English, Quinn, Leembuis & Taynton; Erie, Pa.
(See files)

Jan 10-1941 – Received $4.40 Record costs in above case
Geo. C. Magee Jr

Settled, discontinued and costs paid this 10th day of January 1941.
Geo. C. Magee Jr

Received $15.70 on the 10 of January 1941
Geo. C. Magee Jr.

S. J. & H. White and Elicia P. White
vs.
Alvin E. Reynolds and Alva Reynolds
Issued March 1, 1940

Tax & writ (Atty pd)	$	2.00
Shff. Smith (pd)		7.70
Shff. Butler Co. (paid) (Paid)		6.00
Pro Slayton 1/10-41		5.70
Atty fee 1/10-41		3.00

Summons in Trespass; Returnable to next term. March 1, 1940, Statement of claim filed.

And now, to wit April 6, 1940, Defts. by Attorneys plead Not guilty. (See paper filed)

April 6, 1940, Kent & Kent, and English, Quinn, Leembuis & Taynton, Erie, Pa., appear for the defendants (See paper filed.)

Writ returned: Served the within summons, together with copy of Statement of Claim personally on Alvin E. Reynolds at his home in the Borough of Linesville, Crawford County, Pa., on March 4, 1940, at 4:30 o'clock P.M., by handing to him a true and attested copy thereof and making contents of same known to him. Also, served the within summons together with copy of Statement of claim upon Alva Reynolds [March 26, 1940] by deputizing the Sheriff of Butler County, Pa., as per his return hereto attached.

So answers Bert A. King, deputy Sh.
Harry B. Smith, Sheriff.

On Fall Trial List, 1940. No. 24.

Oct. 31, 1940 Amended Statement of claim filed by leave of Court

On Winter Trial List, 1941, No. 8.

Jan. 9, 1941, Jury selected and sworn.

Jan. 10, 1941. Continued on application of Plffs. because of sudden illness of Elicia P. White.

Per Curiam.

John A. Bozic

33

y 13, 1940. Rec'd. $35.00 cost.
P. D. B.

y 18, 1940. Received
$25.00 Master
ee in the above
entitled case.
George X. Simonetta
y 10/40. Received
30 and Stacy Exon
$1.90 balance
costs.
John A. Bozic
Atty.

Ethel Stacy, a Minor
by her father and next
friend Roy Oscar Eaton
vs.
Lloyd Stacy.
Issued March 1, 1940

Tax & writ 4/11/40. Rd.	$ 3.00
Sheff Smith & al. (paid)	9.40
George X. Simonetta, Master	25.00
Pros. for Co. 5/14/40. Rd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, March 1, 1940, Subpoena awarded, returnable to the first Monday of April 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena retd: (a) Now, March 12, 1940, at 11:30 A.M., served the within Subpoena in Divorce on Lloyd Stacy, respondent, at his residence Hillsville, Lawrence County, Pa., by making known to him the contents thereof, and leaving with him a true and attested copy. So answers,

George Dean, Deputy Sheriff.
W. W. Ingham, Sheriff of
Lawrence County, Penna.

(See affidavit on Subpoena) (b) Served the within Subpoena in Divorce on Lloyd Stacy, Respondent, by deputizing the Sheriff of Lawrence County, Pa., as per his return hereto attached.

So answers Harry B. Smith, Sheriff.

And now, May 13, 1940, George X. Simonetta, Esq., is hereby appointed Master to take testimony in the above entitled case and make report to the Court.

Per Curiam.

May 18, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 40.

Now June 20, 1940, after due consideration of the testimony taken in this case we can but conclude that same does not support and establish the charges of cruel and barbarous treatment endangering life or indignities to the person as to render libellants condition intolerable and life burdensome as recognized by law; we are of the opinion that desertion, actual and constructive has been established, but as that is not charged in the libel a divorce cannot be decreed thereon, accordingly the libel is dismissed and a divorce is refused,

Per Curiam,

F. Joseph Thomas Lloyd W. Kennedy 34	Joseph Russell Durham and Marcia L. Durham vs Albert P. Sutter Entered Mar. 2 1940 Tax Fentry (Paid) $ 1.50 Costs on Trans. (Pd) 6.95 Pro. for Co. paid 7-9-40. 3.50 Atty. 3.00	Appeal by Plaintiffs from Judgment of J. A. Boland, Esq. J.P. March 2, 1940, Messrs. F. Joseph Thomas and Lloyd Kennedy appear for Plffs (See paper file March 4, 1940, Acceptance of service of notice of filing appeal filed March 3, 1940, Statement of claim filed April 2, 1940, acceptance of service of Statement of Claim filed. And now, July 6, 1940, on motion of plaintiff's attorneys judgment is entered against the defendant and in favor of the plaintiffs for want of an affidavit of defense, and liquidated at the sum of One Hundred Sixty-nine & 79/100 Dollars, with costs of suit. Debt $169.79 Interest from July 6, 1940, Judgment Paul D. Slayton, Pro.

Sml. - 159,

Mark A. Culbertson
& Berry Eckels
35
Kent & Kent
Glish, Quinn, Leemhuis & Taynton. 3-22-40.
(Praecipe filed)

S. H. Ferris
vs.
National Ben Franklin Fire Insurance Company of Pittsburgh, Pa.
Issued March 2, 1940.

Tax & writ (paid) 2.00
Shff. Smith paid # 3.20
Pro. Fo. Co. 12/16/48 Paid 8.25
Atty. 3.00

Summons in Assumpsit; Returnable to first Monday of April next.

March 28, 1940: Writ returned: Served the National Ben Franklin Fire Insurance Company of Pittsburgh, Pa., the within-named defendant Company, by handing March 18, 1940, at 10:30 O'clock A.M., a true and attested copy of the within writ to Gordon B. Leberman, the agent of said defendant Company, at Room 407, Trust Company Building, Corner of Chestnut and Market Streets, City of Meadville, Crawford County, Pa., and making contents of same known to him.
So answers, Harry B. Smith, Sheriff.

12/16/1948
By value received
This case is hereby
released and dis-
continued as to
Mark A. Culbertson
as Prothy

Jan. 15, 1942, Statement of claim filed. Service accepted Jan. 17, 1942.

Jan. 26, 1942, Motion to strike off statement of claim filed; Rule: And Now, this 26th day of January, 1942, upon consideration of the foregoing motion of the National Ben Franklin Insurance Company of Pittsburgh, Pennsylvania by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be stricken off; rule returnable sec. reg., all proceedings to stay. Per Curiam.

On Argt. List for Feb. Term, 1942, No. 12

Feby 24, 1942 Argued by Atty for Deft only.

And now, March 9, 1942, the within amendment is allowed, and the Rule to strike off Statement of Claim entered Jany 26, 1942, is discharged. Per Curiam

March 9, 1942, Amended Statement of claim filed. Service accepted by Defts. Attys.

August 18, 1942, Motion For More Specific Statement of Claim filed; Rule: And Now, to-wit, this 14th. day of March, 1942, upon consideration of the foregoing motion of National Ben Franklin Insurance Company of Pittsburgh, Pennsylvania by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiffs to show cause why the statement of claim in the above entitled case should not be made more specific; rule returnable sec. reg., all proceedings to stay.
Per Curiam, O. Clare Kent, P.J.

Service of copy accepted by plaintiffs Attorney.

On Argt. List for Sept. Tr. 1942, No. 9.

Sept. 29, 1942 Rule made absolute, by agreement of counsel.
Per Curiam.

Cert. to Aud
Mail Ofc
Rec'd $8.20
Return on
Last
Mail Rec'd
Ofc

Stuart A. Culbertson
J. Perry Eckels
36
Kent & Kent
English Quinn, Leemhuis & Taynton 3/22/40
(See paper filed)

13/IC/1848
For value received this case is hereby settled and discontinued at cost of pltff.
Stuart A. Culbertson
Atty for Pltff.

Jan 17, 1940 Rec'd of Pro Thy $ 20 retainer on cost
Stuart A. Culbertson
Atty for Pltff

J. H. Ferris
vs.
Globe & Republic Insurance Company of America
Issued March 2, 1940

Tax Writ (paid)	$	2.00
Shff. Smith paid		3.20
Pro. to Co. 12/16/48 Paid		8.25
Atty.		3.00

Summons in Assumpsit, Returnable to first Monday of April next

March 28, 1940: Writ returned: Now the Globe & Republic Insurance Company of America, the within-named defendant Company, by handing, March 1, 1940, at 10:30 o'clock A.M., a true and attested copy of the within writ, to Gordon B. Leberman, the agent of said defendant company, at Room 407, Trust Company Building, Corner Chestnut and Market Streets, City of Meadville, Crawford County, Pa., and making contents of same known to him. No answer. Harry B. Smith, Sheriff.

Jan. 15, 1942, Statement of claim filed. Service accepted Jan. 17, 1942.

Jan. 26, 1942, Motion to strike off statement of claim filed;

Rule: And now, to-wit, this 26th day of January, 1942, upon consideration of the foregoing motion of Globe and Republic Insurance Company of America by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be stricken off; rule returnable sec. reg., all proceedings to stay.

Per Curiam.

On Arg. List for Feb. Term, 1942, No. 13

Feby 24, 1942, Argued by Atty for Deft only.

And now, March 7, 1942, the within amendment is allowed and the Rule to strike off Statement of claim entered Janry 26, 1942, is discharged.

Per Curiam.

March 9, 1942 Amended Statement of Claim filed. Service accepted by Defts. Attys.

August 18, 1942, Motion For More Specific Statement of Claim filed

Rule: And Now, to-wit, this 14th. day of March, 1942, upon consideration of the foregoing motion of Globe and Republic Insurance Company of America by its attorneys, John D. Kent, Esquire and English, Quinn Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be made more specific; rule returnable sec. reg., all proceedings to stay.

Per Curiam, O. Clare Kent P.J.

Service of copy accepted by Plaintiff's Attorney.

On Arg. List for Sept Term, 1942, No 10

Sept 29, 1942 Rule made absolute, by agreement of counsel.

Per Curiam.

tuart A. Culbertson J. Perry Eckels 37 Kent & Kent glish, Quinn, Leemhuis & yntor. 3/22/40. & paper filed)	S. H. Ferris vs. General Insurance Company of America Issued March 2, 1940 Tax & writ (paid) 2.00 Shff. Smith paid $3.20 Pro. to Co. 12/16/48 Paid 8.25 Atty 3.00 13/12/1948 For value received this case is hereby settled and discontinued Stuart A. Culbertson by J. Lee.	Summons in Assumpsit Returnable to first Monday of April next. March 28, 1940: Writ returned: Served the General Insurance Company of America, the within-named defendant Company, by handing, March 18, 1940, at 10:30 o'clock A.M., a true and attested copy of the within writ, to Gordon B. Lebenman, the Agent of said defendant company, at Room 407, Trust Company Building, Corner Chestnut and Market Streets, City of Meadville, Crawford County, Pa., and making contents of same known to him. So answers, Harry B. Smith, Sheriff. Jan. 15, 1942, Statement of claim filed. Service accepted Jan. 17, 1942. Jan. 26, 1942, Motion to strike off statement of claim filed: Rule: And Now, to-wit, this 26th day of January, 1942, upon consideration of the foregoing motion of General Insurance Company of America by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be stricken off; rule returnable sec. reg., all proceedings to stay. Per Curiam. On Arg. List for Feb. Term, 1942 No. 14 Feby 24, 1942 Argued by Atty for Deft. only. And now, March 7, 1942, the within amendment is allowed, and the rule to strike off Statement of claim, entered Jany 26, 1942, is discharged. Per Curiam. March 9, 1942 Amended Statement of claim filed. Service accepted by Defts. Attys. August 18, 1942 Motion For More Specific Statement of Claim filed; Rule: And Now, to-wit, this 14th day of March, 1942, upon consideration of the foregoing motion of General Insurance Company of America by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be made more specific; rule returnable sec. reg., all proceedings to stay. Per Curiam, O. Clare Kent, P.J. Service of copy accepted by Plaintiff's Attorney. On Arg. List for Sept. Term, 1942, No. 11 Sept. 29, 1942, Rule made absolute, by agreement of counsel. Per Curiam.

Dec 17, 1945
Judg'mt Nil
May 28 '46 2c
upon or exit
Stuart A. Culbertson
Atty for Pltff

Stuart A. Culbertson
J. Berry Eckels
38
Kent & Kent
English, Quinn, Leemhuis & Taynton 3/2/40
(See paper filed)

1/16/1948
For value received the case is hereby ended and discharged
Drew & Culbertson
Atty for Pltf.

Dec 17, 1948 rec'd
J Roe Hayes
$0.25 Upon
in cash
Drew & Culbertson
Atty for Pltff

I. H. Ferris
vs.
The Newark Fire
Insurance Company
Issued March 2, 1940

Tax & writ (paid)	$	2.00
Shff. Smith (paid)	$	3.20
Bro. for Co. 12/16/48 Pd.		8.25
Atty.		3.00

Summons in Assumpsit, Returnable to first Monday of April next.

March 28, 1940: Served the Newark Fire Insurance Company, the within-named defendant Company, by handing March 18, 1940, at 10:30 o'clock A. M. a true and attested copy of the within writ, to Gordon B. Lebesman, the Agent of said defendant Company, at Room 407, Trust Company Building, Corner Chestnut and Market Streets, City of Meadville, Crawford County, Pa., and making contents of same known to him. So answers, Jesse R. Smith, Shff.

Jan. 15, 1942, Statement of claim filed. Service accepted Jan. 17, 1942.

Jan. 26, 1942, Motion to strike off statement of claim filed;

Rule: And Now, to-wit, this 26th day of January, 1942, upon consideration of the foregoing motion of the Newark Fire Insurance Company by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be stricken off; rule returnable sec. reg., all proceedings to stay. Per Curiam.

On Argt. List for Feb. Term, 1942 No. 15.

Feby 2nd, 1942, Argued by Atty for Deft. only.

And now, March 7, 1942 the within amendment is allowed, and the rule to strike off Statement of Claim entered Jany 26, 1942 is discharged. Per Curiam.

March 9, 1942 Amended Statement of Claim filed. Service accepted by Defts. attys.

August 18, 1942 Motion For More Specific Statement of Claim filed;

Rule: And Now, to-wit, this 14th day of March, 1942, upon consideration of the foregoing motion of The Newark Fire Insurance Company by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be made more specific; rule returnable sec. reg., all proceedings to stay. Per Curiam, O. Clare Kent, P. J.

Service of copy accepted by Plaintiff's Attorney.

On Argt. List for Sept. Term, 1942, No. 12.

Sept. 29, 1942, Rule made absolute, by agreement of counsel. Per Curiam.

Stuart A. Culbertson
J. Perry Eckels

39
Kent & Kent
English, Quinn, Leemhuis
Taynton 3/22/40
(paper filed)

1/16/1948
For value received
this case is hereby
settled and discontinued
Stuart A. Culbertson
Atty for Pltf.

Dec 17, 1948
Verd of Def
Mayo $86.20
Paid in court
Stuart A. Culbertson
Atty for Pltf.

Charles A. Ferris, Wooden A. Ferris and John A. Ferris, trading as Ferris Bros.
vs.
The Eureka-Security Fire and Marine Insurance Company
Issued March 2, 1948
#

Tax & writ	(paid)	2.00
Stff. Smith	(paid)	3.20
Pro. Law Co.	12/16/48 Bl.	8.25
	Atty.	3.00

Summons in Assumpsit.
Returnable to first Monday of April next.

Writ returned; Served The Eureka Fire and Marine Insurance Company the within named defendant company, by handing March 18, 1940, at 10:30 o'clock A.M., a true and attested copy of the within writ to Gordon B. Leberman, the agent of said defendant company, at Room 407 Trust Company Building, corner of Chestnut and Market Streets, City of Meadville, Crawford County, Pa., and making contents of same known to him.

So answers Harry B. Smith, Sheriff.

Jan. 15, 1942, Statement of claim filed. Service accepted Jan. 17, 1942.

Jan. 26, 1942, Motion to strike off statement of claim filed;

Rule: And now, to-wit, this 26th day of January, 1942, upon consideration of the foregoing motion of Eureka-Security Fire and Marine Insurance Company by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiffs to show cause why the statement of claim in the above entitled case should not be stricken off; rule returnable sec. reg., all proceedings to stay. Per Curiam.

On Argt. List for Feb. Term, 1942, No. 16.

Feby 24, 1942 Argued by Atty for Dept. only.

And now, March 7, 1942 the within amendment is allowed, and the Rule to strike off Statement of Claim, entered Janu 26, 1942, is discharged. Per Curiam.

March 9, 1942, Amended Statement of Claim filed. Service accepted by Defts. Attys.

August 18, 1942 Motion For More Specific Statement of Claim filed;

Rule: And Now, to-wit, this 14th. day of March, 1942, upon consideration of the foregoing motion of Eureka-Security Fire and Marine Insurance Company by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiffs to show cause why the statement of claim in the above entitled case should not be made more specific; rule returnable sec. reg., all proceedings to stay.

Per Curiam, O. Clare Kent, P.J.

Service of copy accepted by Plaintiffs Attorney.

On Argt. List for Sept. Term, 1942, No. 13.

Sept. 29, 1942, Rule made absolute by agreement of counsel.

Per Curiam

Stuart A. Culbertson
J. Perry Eckels

40
Kent & Kent
English, Quinn, Leemhuis & Taynton
(See paper filed) 3/22/40

1/16/1948
For value rec'd
the case is hereby
settled and discontinued
Stuart A. Culbertson
atty for Pltf

Dec 17, 1948 Rec'd
of Pltf's Atty
$8.20 in full
for costs
Stuart A. Culbertson
Atty for Pltf

Charles A. Ferris,
Woodea A. Ferris
and John A. Ferris,
trading as Ferris
Bros.

vs.

Merchants Fire
Assurance Corporation of New York
Issued March 2, 1942

	$
Tax writ (paid)	2.00
Shff. Smith (paid)	3.00
Pro. for Co. 12/16/48 Pd.	8.25
Attly.	3.00

Summons in Assumpsit.
Returnable to first Monday of April next.

Writ returned: Served the Merchants Fire Assurance Corporation, the within named defendant company, by handing March 18, 1942, at 10:30 o'clock A.M., a true and attested copy of the within writ to Gordon B. Leberman, the agent of said defendant company at Room 407, Trust Company Building, corner of Chestnut and Market Streets, City of Meadville, Crawford County, Pa., and making contents of same known to him.

So answers Harry B. Smith, Shff.

Jan. 13, 1942. Statement of claim filed. Service accepted Jan. 17, 1942.

Jan. 26, 1942, Motion to strike off statement of claim filed.

Rule: And Now, to-wit, this 26th day of January, 1942, upon consideration of the foregoing motion of Merchants Fire Assurance Corporation of New York by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be stricken off; rule returnable sec. reg., All proceedings to stay.

Per Curiam.

On Argt. List for Feb. Term, 1942, No. 17

Feby 24, 1942, Argued by Atty for Deft. only.

And now, March 7, 1942, the within Amendment is allowed, and the rule to strike off Statement of Claim, entered Janry 26, 1942, is discharged. Per Curiam.

March 9, 1942, Amended Statement of claim filed. Service accepted by Deft's attys.

August 18, 1942, Motion For More Specific Statement of claim filed.

Rule: And Now, to-wit, this 14th. day of March, 1942, upon consideration of the foregoing motion of Merchants Fire Assurance Corporation of New York by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be made more specific; rule returnable sec. reg., all proceedings to stay. Per Curiam, O. Clare Kent, P.J.

Service of copy accepted by Plaintiff's Attorney.

On Argt. List for Sept. Term, 1942, No. 14

Sept. 29, 1942, Rule made absolute, by agreement of counsel.

Per Curiam

MAY TERM, 1940

Stuart A. Culbertson
J. Berry Eckels

#1
Kent & Kent
English, Quinn, Leemhuis & Taynton
ce paper filed) 3/22/40

13/1C/1948
For value received
this case is fully
paid and discontinued
Stuart A Culbertson
Atty for Pltf

Mar 17, 1942
Rec'd of Pltf
May & $5.20
refund or costs
Stuart A Culbertson
Atty for Pltf

Charles A. Ferris,
Woodes A. Ferris and
John A. Ferris, trading
as Ferris Bros.
vs.
American Equitable
Assurance Company
of New York
Issued March 2, 1940

Tax & writ (paid)	#	2.00
Shff. Smith (paid)		3.20
Pro. fo & Co. 12/10/48 Pd		8.25
Atty		3.00

Summons in Assumpsit
Returnable to first Monday of
April next.

Writ returned: Served the American Equitable Assurance Company, of New York, the within named defendant company, by handing March 18, 1940, at 10:30 o'clock A.M., a true and attested copy of the within writ to Gordon B. Leberman, the agent of said defendant company, at Room 407, Trust Company Building, corner Chestnut and Market Streets, City of Meadville, Crawford County, Pa., and making contents of same known to him. So answers,

Harry B. Smith, Sheriff.

Jan. 15, 1942. Statement of claim filed. Service accepted Jan. 17, 1942.

Jan. 26, 1942, Motion to strike off statement of claim filed; Rule: And Now, to-wit, this 26th day of January, 1942, upon consideration of the foregoing motion of American Equitable Assurance Company of New York by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiff to show cause why the statement of claim in the above entitled case should not be stricken off; rule returnable sec. reg., all proceedings to stay. Per Curiam.

On Argt. List for Term, 1942, No. 18

Feby 24, 1942, Argued by Atty for Deft only.

And Now, March 7, 1942, the within amendment is allowed, and the rule to strike off Statement of claim, entered Jany 26, 1942, is discharged. Per Curiam.

March 9, 1942 Amended Statement of Claim filed. Service accepted by Defts attorneys

August 18, 1942, Motion For More Specific Statement of Claim filed: Rule: And Now, to-wit, this 14th day of March, 1942, upon consideration of the foregoing motion of American Equitable Assurance Company of New York by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiffs to show cause why the statement of claim in the above entitled case should not be made more specific; rule returnable sec. reg., all proceedings to stay. Per Curiam, O. Clare Kent, P.J. Service of copy accepted by Plaintiff's Attorney.

On Argt. List for Sept. Term, 1942, No. 15.

Sept. 29, 1942, Rule made absolute by agreement of counsel

Per Curiam.

Stuart A. Culbertson
J. Perry Eckels

42
Kent & Kent
English, Quinn, Leemhuis & Taynton
(See paper filed) 3/22/40.
3/16/1948
For value record this case is Law
Discontinued & ended
Stuart A. Culbertson
Atty for Deft

Charles A. Ferris, Woodea A. Ferris and John A. Ferris, trading as Ferris Bros.

vs

The Merchants Fire Insurance Company.

Issued March 2, 1940.

	$
Tax & writ (paid)	2.00
Shff. Smith (paid)	3.20
Pro. Co. Co. 12/16/48 Pd.	8.25
Atty.	3.00

Summons in Assumpsit. Returnable to first Monday of April, next.

Writ returned: Served the Merchants Fire Insurance Company, the within named defendant company, by handing, March 18, 1940, at 10:30 A.M., a true and attested copy of the within writ, to Gordon S. Leberman, agent of said defendant company, at Room 409, Trust Company Building, corner of Chestnut and Market Streets, City of Meadville, Crawford County, Pa., and making contents of same known to him. So answers

Harry B. Smith, Sheriff

June 17, 1948
Rule discharged
& S. C. upon
on costs
Stuart A. Culbertson
Atty for Plff

Jan. 15, 1942, Statement of claim filed. Service accepted Jan 17, 1942.

Jan. 26, 1942, Motion to strike off statement of claim filed; Rule: And Now, to-wit, this 26th day of January, 1942, upon consideration of the foregoing motion of The Merchants Fire Insurance Company by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiffs to show cause why the statement of claim in the above entitled case should not be stricken off; rule returnable sec. reg., all proceedings to stay.

Per Curiam.

On Argt. List for Feb. Term, 1942, No. 19

Feby 24, 1942, Argued by Atty for Deft. only.

And now, March 7, 1942 the within amendment is allowed, and the rule to strike off Statement of Claim, entered Janry 26, 1942, is discharged. Per Curiam.

March 9, 1942, Amended Statement of Claim filed. Service accepted by defendant's attorneys

August 18, 1942. Motion For More Specific Statement of Claim filed; Rule: And Now, to-wit, this 14th. day of March, 1942, upon consideration of the foregoing motion of The Merchants Fire Insurance Company by its attorneys, John D. Kent, Esquire and English, Quinn, Leemhuis and Taynton, the Court grants a rule upon the plaintiffs to show cause why the statement of claim in the above entitled case should not be made more specific; rule returnable sec. reg., all proceedings to stay. Per Curiam, O. Clare Kent, P. J.

Service of a copy accepted by Plaintiff's Attorney.

On Argt. List for Sept. Term, 1942, No. 16

Sept. 29, 1942 Rule made absolute, by agreement of counsel

Per Curiam

Stuart A. Culbertson
43

F. A. Stelle
vs.
John Rubcic Debt
John H. Bozic, Terre Tenant.
Issued March 4, 1940
#
Pro. Slayton (Plff. pd) 2.25
Shff. Smith (paid) 8.10

Of No. 284 February Term, 1935, D.D.B
Scire Facias to revive and continue the lien of the above judgment, Returnable to first Monday of April, 1940. R. page 85, Bo. page 134.

Writ ret'd: Served the within Sci. Fa. on John Rubcic, by handing a true and attested copy thereof to Effie Rubcic, his wife, an adult member of his family, on March 1940, at 10:40 o'clock A. M., at No. 360 Center Street, City of Meadville, Crawford County, Pa., and making contents of same known to her.

Service of within Sci. Fa. accepted by John H. Bozic, terre tenant, on April 1, 1940, as per his acceptance of same on writ. So answers Harry B. Smith, Shff.

Nov. 6, 1941, Petition of John H. Bozic, named as terre tenant in this case, to quash the writ of Scire Facias as to him the said John H. Bozic, presented and filed.

And now, to wit, this sixth day of November, A.D., 1941, upon presentation of the foregoing petition, a rule is hereby granted on the plaintiff to show cause why the writ of Scire Facias in the above entitled case, should not be quashed as to John H. Bozic; Returnable sec. leg. + sec. reg.

Per Curiam,
O'Clare Kent, P.J.

Nov. 17, 1941, Answer of plaintiff to rule to quash writ, filed. Service accepted by John H. Bozic.

Jan 27 ✓, 1942. Received satisfaction in full of the above judgment, debt, interest, and costs, and hereby authorizes the Prothonotary to satisfy the same of record.

Stuart A. Culbertson
Atty for Plff

Kenneth W. Rice
44
Walter J. McClintock
(See answer filed Apr. 1, 1940)

S. B. Field
vs.
Cassius L. Smith
also known as
Cash Smith
Issued March 5, 1940

Pro. Slayton (pd)		2.25
Stiff Smith (paid)		4.20
Pro. Slayton		5.25
Atty		3.00
Original Costs:		
Plff.		10.80
Pro. on Rule		2.25

Of No. 352 February Term, 1940
Scire Facias to revive the above judgment and to continue the lien et quare executionem non; Returnable to first Monday of April, 1940.
See page 145.
See Fi. Fa. to No. 21, May Term, 1940
March 5, 1940, Statement of Claim filed, & copy certified.
April 1, 1940, Defendants answer to Statement of Claim on Scire Facias sur judgment, filed. Service accepted by Plffs. Atty.
April 15, 1940. Plaintiff's reply to new matter filed.
And now, April 15, 1940, upon presentation of the within motion, it appearing to the Court that the defendant has agreed to allow the amendment, plaintiff's motion to amend his statement of claim is hereby allowed.
Per Curiam,
O. Clare Kent, P.J.
(See paper filed)
And now, July 1, 1940, Rule granted on defendant to show cause why he should not proceed by rule or agreement of counsel, to take depositions on disputed issues of fact, or order the cause for argument on petition and answer; returnable in 15 days from date hereof. Per Curiam
Service by copy accepted by Defts. Atty.
Writ retd: Served the within Sci. Fa. to revive judgment together with copy of Statement of claim, personally on Cassius L. Smith, also known as Cash Smith, on March 18, 1940, at 2:10 o'clock P.M., at No. 219 Chestnut Street, Meadville, Pa., by handing to him a true and attested copy thereof, and making contents of same known to him. So answers
Harry B. Smith, Sheriff
On Arg. List for Nov. Term, 1940, No. 11
Nov. 25, 1940. By agreement of counsel Rule to show cause is made absolute.
Per Curiam
March 24, 1941 Stipulation of Counsel filed; to wit:-
"It is hereby stipulated by and between Kenneth W. Rice, attorney for the plaintiff and Walter J. McClintock, attorney for the defendant, as follows:
"1. That plaintiffs claim in the above proceeding be settled for the amount of Twenty-five hundred ($2,500.00) Dollars with interest due on the unpaid principal from January 15, 1941.
"2. That the said Cassius L. Smith, defendant has already paid to the plaintiff the sum of Eleven hundred ($1100.00) Dollars, leaving a balance due the plaintiff of Fourteen hundred ($1400.00) Dollars, with interest.

Continued on margin.

"3. That in view of the settlement arrived at by the parties the motion filed by the defendant, at No. 21, May Term, 1940, Ex. Doc. (1) to dismiss and set aside the execution process instituted at No. 21 May Term, 1940, and (2) to stay all proceedings on said execution until Conclusion of the proceedings for revival of said judgment at No. 44 May Term, 1940, be at this time withdrawn.
"4. That judgment be entered in favor of the plaintiff, S. B. Field, and against the defendant, Cassius L. Smith, also known as Cash Smith, in the amount of Fourteen Hundred ($1400.00) Dollars, with interest from January 15, 1941.
Kenneth W. Rice
Attorney for Plaintiff
(Sgd) Walter J. McClintock
Attorney for Defendant
Debt $1400.00
Int. from Jan. 15, 1941
See p. 145. Judgment
Paul D. Slayton
Pro.

Gerald D. Prather	Meadville City Hospital, a corporation,	Summons in Assumpsit, returnable to the first Monday of April, 1940
	Vs.	R. page 133; A. page 83.
45		
Joseph Thomas	Helen Randall, Executrix of the estate of John James Atkins, deceased	And now, March 6, 1940 service is hereby accepted of a true and correct copy of the within Statement of Claim and Praecipe, with the same force and effect as though a Summons had been served by the Sheriff of Crawford County, and the issuance of a Summons is hereby waived.
	Entered March 5, 1940	(Signed) J. Joseph Thomas, Attorney for Defendant
		(See back of Praecipe & Statement)
	Tax & entry (Atty pd) 2.25	
	Pro. for Co. 12/24/42. Pd. 1.00	
	Atty. 3.00	

And now, December 24, 1942 the above case is hereby settled and discontinued

Gerald D. Prather
attorney for Plaintiff

Kent & Kent
46

Harold Reisinger
vs
Mabel Pfeider, Deft
and West Ridge
Transportation
Company, Herschel E.
Greene, and Harold
Berry, Garnishees
Issued March 8, 1940
#
Tax & writ (attyfd) 2.75
Shff. Smith (paid) 3.20

Of No. 368 February Term, 1940 Dr.
Attachment Execution
Returnable to next term.
To attach all and singular the goods and chattels, rights and credits, moneys and property of the deft. in whose hands soever they may be, and particularly in the hands of the West Ridge Transportation Company and Herschel E. Greene and Harold Berry, and to summon them as Garnishees.
Writ returned: Attached, as within commanded the goods, chattels, moneys and credits and effects of the defendant, Mabel Pfeider, in the hands of West Ridge Transportation Company, Herschel E. Greene and Harold Berry, Garnishees, on the 8th day of March, 1940, at 4:30 o'clock P. M, and declared in the presence of credible witnesses of the neighborhood that the said goods, moneys, estate and effects were attached as the goods and effects of the defendant in the hands of the said Garnishees; and at the same time summoned the said West Ridge Transportation Company as garnishee, by handing a true and attested copy of the within writ to R. Billings, Division Supt. of the Westridge Transportation Co. at 159 Chestnut St. City of Meadville, Crawford County, Pa. and making contents of same known to him.
No service as to Mabel Pfeider, defendant.
No service as to Herschel E. Greene, garnishee.
No service as to Harold Berry, Garnishee.
So answers Bert A. King, Dep. Sheriff
Harry B. Smith, Sheriff.

Paul E Thomas

47

E. G. Hawkins, now use of Henrietta S. Hawkins
vs.
Frank A Lilley
Entered March 9, 1940

	#
Pro. Slayton (atty pro)	2.75
Atty	3.00
Original Costs:	
Pro.	5.25
Atty	9.00

Of Nos 309, 310 & 311 February Term, 1935, D.S.B.
Amicable Scire Facias sur Judgments.

It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgments, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant for the sum of Four Hundred Eighty-one and 17/100 Dollars ($481.17) being the amount of debt, interest and costs now due on the original judgments; with all the waivers and conditions contained in the original judgment notes.

Dated February 24, 1940.
Debt # 481.17
Interest from Feb. 24, 1940
Judgment
Paul D. Slayton, Pro.

L. page 85.

Mar. 8, 1945, Amn. Sci. Fa. to No. 63 May Term, 1945.
January 31, 1947 This judgment is Satisfied (See Amn. Sci. Fa.)

Raymond C Miller

48

In the Matter of the Nomination of Harold Peiffer to the Office of Democratic County Committeman of the Borough of Cambridge Springs Entered March 9, 1940

Pro. Slayton 4-3-40 paid 2.50
Pro. Swick since 4-3-40 paid 2.50

March 9, 1940, Objection to Nomination of Harold Peiffer and petition of George B Smith to set aside the same, presented to Hon. O. Clare Kent, P.J., and filed.

Order: And now, this 9th day of March, 1940, a hearing is set for the 18th day of March, 1940, at 9:30 A.M., at which time Harold Peiffer, shall show cause, if any he have, why the names of R. A. Drake, Mrs R.A. Drake, R. E. Greene, James ~~Jarch~~ Russel shall not be stricken from the nomination petition of the said Harold Peiffer, filed March 4, 1940, and that the said nomination petition shall be set aside.

Notice of this order and a copy thereof is to be served personally on the said Harold Peiffer within forty-eight hours of the granting hereof, and service to be further made of a copy of this petition and order on the County Commissioners of Crawford County, Pennsylvania, comprising the Crawford County Board of Elections.

Per Curiam,
(Signed) O. Clare Kent, P.J.

(See petition filed)

3-9-40, at 2: P.M., E.S.T., We acknowledge service of true and correct copy of within petition and order

Crawford County Commissioners,
comprising Crawford County Board of Elections
(Signed) Thomas F. Collins, Clerk

(See petition)

March 12, 1940: Writ returned: Affidavit of George B. Smith filed wherein he deposes and says that on March 12, 1940, at 8:45 a.m. he attempted to serve a copy of above petition on Harold Peiffer before above date but that Mr. Peiffer was out of town and service was not made until above indicated time. (See return papers filed).

Mar. 18, 1940 Testimony filed.

March 20, 1940, Opinion and order of Court filed.

Order: Now, March 20, 1940 the nomination petition of Harold A. Peiffer, directed to the County Commissioners of Crawford County, to have his name printed upon the Official Ballot or Voting Machine Ballot Label of the Democratic Party in the Election District of Cambridge Springs, Crawford County, Pennsylvania, for the Spring Primary of 1940 as a candidate for the office of Committeeman is hereby set aside, and the County Election Board is directed to disregard the same in the preparation of Primary Ballots for the said Election District of Cambridge Springs, Crawford County, Pa. Exception is noted, and sealed for the respondent.

(See opinion filed)

(Sgd) Per Curiam: O. Clare Kent, President Judge.

J. E. Jack

49

Bertha Goodwill
and Arthur G. Bellen,
Executors of Estate
of F. J. Goodwill
vs.
A. P. Mitchell, and
Mrs. E. O. Copeland
Issued March 11, 1940

Pro. Slayton (Atty fee)	2.75
Shff Smith (paid)	4.80
Pro. for Co. 12/31/41. Pd.	2.50
Atty	3.00

(Note: $7.55 of above costs included in debt.)

Of No. 292 February Term, 1935, D.F.B
Scire Facias to revive and continue the lien of the above judgment; Returnable to next term.
M. page 166; Co. page 83.
And now, March 11, 1940, the death of F. J. Goodwill, plff, on Aug. 14, 1939, is suggested, and that Bertha Goodwill and Arthur G. Bellen have been duly appointed Executors of his estate. (See paper filed)
Writ returned: Served the within Sci. Fa. to revive judgment personally on A. P. Mitchell by serving Grace Mitchell, she being an adult member of his family (namely, his wife) on April 5, 1940, at 11:35 o'clock A. M., at their residence in West Mead Township, Crawford County, Pa., by handing to her a true and attested copy thereof, and making contents of same known to her.
Also, served the within Sci. Fa. to revive judgment on Mrs. E. O. Copeland, by serving Grace Mitchell, she being an adult member of the family (namely, her daughter), on April 5, 1940, at 11:40 o'clock A. M., at their residence in West Mead Township, Crawford County, Pa., by handing to her a true and attested copy thereof, and making contents of same known to her.
So answers Harry B. Smith, Sheriff.

And now, Dec. 31, 1941, on motion of plaintiffs attorney judgment is hereby entered against the defendants and in favor of the plaintiffs for want of an appearance and affidavit of defense and liquidated at the sum of Two hundred forty-two and 60/100 Dollars, with costs of suit.

Debt	$242.60
Interest from Dec. 4, 1941,	
Judgment	
Paul D. Slayton, Pro.	

M. page 166; Co. page 83.
Dec. 31, 1941, This judgment assigned to Bertha Goodwill, Centerville, Pa. (See paper filed.)

G. Wayne Altenburg (See affidavit of Service) 50 McDonald & Kraffert	Joseph Bradford vs. James Stowe and Abe Feinberg Entered March 11, 1940 Tax & entry paid 3/12/40 1.50 Costs on Plans (Rec'd $2.00 & pd by Atty) 8.80 Pro. Slayton 11/15/40 Pd. 1.50 Atty 3.80	Appeal by Defts. from Judgment of Robt. A. Kerr, Justice of the Peace. April 19, 1940, Acceptance of service of notice of filing appeal filed. And now, Oct. 28, 1940, On motion of Defts' Attys, judgment of non pros. is entered against the plaintiff, Joseph Bradford for failure to file Statement of claim within 30 days from receipt of notice of filing of transcript. (See paper filed) Br. page 153. Judgment Paul D. Slayton, P.

McDonald & Kraffert
5/

May 13, 1940: Received $5.00 costs Pro. Clayton Varnum.
May 23, 1940 Received $25.00 in Penal Clayton master's fee
Herbert E. Varnum.

5/21/40 Recd - $1.90 refund on costs.
O. K. Kraffert Jr.

Almond M. Culver
vs
Evelyn E. Culver
Issued March 11, 1940
#

Tax & writ paid 3/12/40	3.00
Shff. Smith	---
Const. McCutcheon (fee)	.70
Herbert E. Varnum, Master	25.00
Pro. for Co. 5/13/40. cd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, March 11, 1940, upon presentation of the within Libel, a Subpoena in Divorce is ordered to be issued, returnable to first Monday of May, next.

Per Curiam
O. Clare Kent P.J.

Subpoena returned - W. B. McCutcheon, Constable, makes affidavit that he did serve the within Subpoena in Divorce on the within named respondent Evelyn E. Culver, on Saturday, March 16, 1940 at 2 o'clock P.M., at 322 W. Elm Street, Titusville, Crawford County, Pa., by reading the same to her and handing to her a true and attested copy of the same.

And now, May 13, 1940, Herbert E. Varnum, Esq., is appointed Master as prayed for.

Per Curiam.

May 23, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 41.

Now June 20, 1940, after due consideration of the testimony in this case it appears that there is no evidence to sustain the charge of cruel and barbarous treatment endangering life of the libellant. The whole trouble between the parties arises from respondents excessive use of of intoxicating liquor, this of itself is not a cause for divorce, however there is some evidence of indignities to the person rendering his condition intolerable and life burdensome, which unanswered seems to make out a prima facie case in favor of libellant, wherefore a divorce is decreed as prayed for, although we consider the case very weak.

Per Curiam

Decree: And now, to-wit: June 20, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Almond M. Culver be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said Almond M. Culver, the libellant, and the said Evelyn E. Culver, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine, and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. Per Curiam.

F. Joseph Thomas

52

May 9, 1940, Recd. $5.00 costs. P.D.S.

May 21, 1940 Recd $25.00 Master's fee, Ralph J. Joyce, Master

Aug 13, 1940 rec'd $1.50 refund costs F. Joseph Thomas

Shirley B. Grinnell by her father and chosen Guardian, D. R. Beatty,

vs.

Paul C. Grinnell

Issued March 11, 1940

#

Tax & writ 4-29-40 Pd. 3.00
Sheff. Smith (paid) 3.20
Ralph J. Joyce, Master 25.00
Pro. for Co. 5/14/40 Pd. 8.10
Atty. 3.00

Subpoena in Divorce.

And now, March 11, 1940 Subpoena awarded, Returnable to the first Monday of May, 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 5th day of April, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers, Harry B. Smith, Sheff.

And now, May 9, 1940, Ralph J. Joyce, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.

Per Curiam.

May 21, 1940, Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 42.

Now June 14, 1940 after due consideration a divorce is decreed as prayed for and the respondent, Paul C. Grinnell, is ordered to pay the costs of this proceeding.

Per Curiam.

Decree: And now, to-wit: June 14, A.D. 1940, the cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Shirley B. Grinnell be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Shirley B. Grinnell the libellant, and the said Paul C. Grinnell, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Kent & Kent
53

Arthur Litwiler
vs
Ellen Fetterman Litwiler
Issued March 11, 1940

Tax writ 4/26/40 Pd.	$ 3.00
Shff. Smith (paid)	7.50
Paul E. Thomas, Master	25.00
Pro. for Co. 5/6/40 Pd.	10.00
Atty.	3.00
F. C. Kiebort, Jr. Gdn.	15.00

Subpoena in Divorce

And now, March 11, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to the first Monday of May, 1940.

Per Curiam,
O. Clare Kent, P.J.

April 5, 1940, Petition of libellant for the appointment of a guardian ad litem for respondent, filed.

Now, April 5, 1940, upon presentation and consideration of the within petition, F. C. Kiebort, Jr., is appointed guardian ad litem for Ellen Fetterman Litwiler.

Per Curiam,
O. Clare Kent, P.J.

(See paper filed) Order issued.

Subpoena returned: (a) Served the within Subpoena in Divorce on the Respondent personally on the 13th day of March, 1940, by delivering to her a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit as above. (b.) Served the within Subpoena in Divorce together with copy of Libel on F. C. Kiebort, Jr., Guardian ad litem for Ellen Fetterman Litwiler, the Respondent, therein named, on the 8th day of April, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.

So answers Harry B. Smith, Sheriff.

And now, May 6, 1940, Paul E. Thomas, Esq., is appointed master to take testimony.

Per Curiam.

And now, May 8, 1940, the Court hereby affixes the fee of F. C. Kiebort, Jr., appointed Guardian of Ellen Fetterman Litwiler, in the above entitled case, at fifteen dollars ($15.00).

Per Curiam.

May 18, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 43.

Now June 14, 1940 after due consideration a divorce is decreed as prayed for.

Per Curiam.

Decree: And now, to-wit: June 14, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Arthur Litwiler be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said Arthur Litwiler, the libellant, and the said Ellen Fetterman Litwiler, the respondent; and that

(continued on margin)

6, 1940. Rec'd $35.00 costs.
P. D. S.

18, 40 Recd $25, Master fee.
Paul E. Thomas.

respondent all and
ery the duties,
rights and claims,
ccruing to either
he said libellant
r the said re-
spondent at any
ime heretofore in
nsuance of said
rriage, shall
ease and determine,
nd the said libellant
nd respondent
hall severally be
t liberty to marry
gain in like manner
s if they had never
en married.

Per Curiam.

gust 29, 1949, Defendant, Ellen Fetterman Litwiler, elects to retake and hereafter use her maiden name, Ellen Fetterman. (see paper filed)

Gerald D. Prather 54	Kenneth C. Allen vs. Mildred Allen Issued March 11, 1940 Tax Writ 3/22/40 paid $3.00 Shff. Smith (pd) - $1.60 Shff. Smith, alias (pd) 1.60 Shff. Smith, proc. (paid) 1.1.15	Subpoena in Divorce And now, March 11, 1940 Subpoena awarded, Returnable to the first Monday of May, 1940 Per Curiam, O. Clare Kent, P.J. May 7, 1940: Writ returned. "And now, May 6, 1940, non est inventus as to the within-named respondent." So answers, Harry B. Smith, Sh May 15, 1940, Alias Subpoena in Divorce issued, returnable to first Monday of July next. Alias Subpoena returned: July 1, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Shff Sept. 23, 1940, Order issued for publication of Sheriffs proclam in divorce, in above case, returnable to 1st Mon. of Nov. ne And now, Nov 4, 1940 I, Harry B. Smith, Sheriff of Crawfo County, do hereby certify and make return, That I have made proclamation in the above entitled case accord ing to law, and caused the same to be published in the Conneautville Courier, Conneautville, Pa, a newspaper print within my bailiwick, once a week for three successiv weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attach So answers Harry B. Smith, Sheriff

MAY TERM, 1940

erald D. Prather 55	Ann Marie Schultz vs. Frank Earl Schultz Issued March 11, 1940 Tax & writ 3/22/40 paid $ 3.00 Shff. Smith	Subpoena in Divorce And now, March 11, 1940, Subpoena awarded, Returnable to the first Monday of May, 1940. Per Curiam, O. Blare Kent, P.J.

56

Albert F. Keilbaugh
vs.
Chas. B. Jones and
Jessie M. Jones
Entered March 12, 1940
Pro. Slayton Deft. $2.25

Of No. 273 September Term, 1932. Debt $
Amicable Scire Facias sur Judgment
It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Five Hundred Dollars, being the amount of debt, interest to Oct 3, 1939, and costs now due on the original judgment with all the waivers and conditions contained in the original judgment note.

Debt $ 500.00
Int. from Oct. 3, 1939.
Judgment
Paul D. Slayton, Pro

J. pp. 38, 38.

Mar 3, 1941, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Albert F Keilbaugh

Paul D. Slayton Pro.

57

Mrs. Edith Winans
257 E. 8th St. Erie, Pa.
vs.
Clint Smith and
Emma Smith,
Entered March 13, 1940
Pro. Blayton (Plff's Atty) $2.25

Of No. 338 February Term, 1935, D&B.
Amicable Sci. Fa. on Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of Two Hundred Four and 46/100 Dollars, being the amount of debt, interest to Jan. 8, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note

Debt $204.46
Int. from Jan. 8, 1940.
Judgment
Paul D. Blayton, Pro

Sm. fp. 7401

Sept. 7th, 1944
Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
X Mrs. Edith Winans

Witness: Paul D. Blayton

58

Mrs. Edith Winans
vs
B. H. Bixby and
Bertha E. Elston
Entered Mar. 13, 1940

Pro. Clayton Plff. fee $2.25

Plff. on original 1.75

Of No. 339 February Term, 1935. D.S.B. Amicable Sci. Fa. sur Judgment

It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon, in favor of the plaintiff and against the defendants, for the sum of One Thousand Dollars being the amount of debt now due on the original judgment, with interest from Oct 29, 1939 & with costs, with all the waivers and conditions contained in the original judgment note.

Debt $1000.00
Interest from Oct 29, 1939

Bi fa. 141, E fa. 47.

Judgment
Paul D. Clayton, Pro.

Mar. 6, 1945, Amn. Scr. Fa. to No. 52 May Term, 1945.

59

L. A. Glessman
vs
F. M McMillan
Entered March 13, 1940
Pro. Slayton (Pffs fee) $2.25
Original costs:
Pltf 1.75
Atty J Perry Eckels 3.00

Of No. 326 February Term, 1932 D.S.B.
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned and that a judgment be entered thereon in favor of the plaintiff and against the defendant for the sum of Four Hundred Forty-four Dollars, being the amount of debt and interest to January 18, 1932, now due on the original judgment, original costs $1.75, to be carried forward; with all the waivers and conditions contained in the original judgment note.

Debt $444.15
Interest from Jan. 18, 1932

Mc page 67 Judgment
Paul D. Slayton, Pro.

60	Meadville Lumber Company vs. Mary Lahey Entered March 14, 1940 # Pro. Slayton (Pltff's) 2.25	Of No. 551 May Term, 1935 D.S.D. Amicable Scire Facias sur judgment. It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Four hundred forty-five Dollars, being the amount of debt, interest to March 14, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt #445.00 Interest from Mar. 14, 1940 L. page 43 Judgment Paul D. Slayton, Pro Feb. 20, 1942 The above judgment satisfied. (See paper filed)

MAY TERM, 1940

eland J. Culbertson 61.	Mary B. Williams vs Clyde E. Williams Issued March 14, 1940 - Tax & writ 4/22/41 rd. $ 3.00 Staff. Smith (paid) 1.60	Subpoena in Divorce. And now, March 14, 1940, Subpoena awarded, returnable to first Monday of May, 1940. Per curiam, O. Clare Kent, P.J. Subpoena returned:- May 6, 1940, Non est inventus as to the within named respondent So answers Harry B. Smith, Sheriff

Herbert A. Mook

62

Peters & Prather for Exceptant.

Dec. 17, 1941, Paid Conneaut Lake Breeze $4.00 advertising costs by check #1047. P.O.S.

Petition of D. C. Rhodes for appointment of a Guardian for Albert K. Perkins of the Borough of Conneaut Lake, as a person of weak mind.
Entered Mar. 14, 1940

Pro. Slayton 12-21-40. Pd. $5.00
Pro. costs to date 12-21-40, paid 10.00
Pro. costs to date 8-13-41, Pd. 2.50
Pro. account 12-17-41, Pd. 3.50

March 14, 1940, Petition presented in open Court and filed.
P. page 94.

Preliminary Order.

Now, March 14, 1940, upon presentation of the foregoing petition, a hearing is set thereon for the first Monday of April, 1940, at 9:30 o'clock A.M. or as soon thereafter as the attention of the Court may be had.

Per Curiam,
O. Clare Kent, P.J.

May 9, 1940. Affidavit of service of notice of hearing upon respondent, filed.

And now, April 7, 1940, after hearing held in open Court in the above entitled case, and the Court being satisfied that the respondent Albert K. Perkins, has become so weak in mind that he is unable to transact business or look after his affairs, and that he might become the victim of designing persons and lose or dissipate his property, the said Albert K. Perkins is hereby adjudged to be a person of weak mind; and Maurice Harned of Conneaut Lake, Pennsylvania, is hereby appointed as his Guardian; bond to be given by the said Guardian in the sum of Three Hundred ($300.00) Dollars, with surety, to be approved by the Court.

Per Curiam,
O. Clare Kent, P.J.

(See paper filed May 11, 1940)

May 11, 1940, Bond of Maurice Harned, Guardian, with Fidelity and Deposit Company of Maryland as surety in the sum of $300.00, approved by the Court & filed.

Sept. 4, 1940, Petition of Guardian for public sale of real estate, with the following order annexed:-

Now, September 3, 1940, upon presentation of the foregoing petition, it appearing that the facts contained therein are true and correct, an order is hereby entered authorizing Maurice Harned, Guardian of Albert K. Perkins, to sell at public sale, at the Court House in Meadville, Penna. the real estate of Albert K. Perkins, a person of weak mind, being a certain piece or parcel of land, situate in the Borough of Conneaut Lake, Penna, bounded and described as follows: On the north by Water Street a distance of 51½ feet; on the east by Mabel Kernmitzer a distance of 181½ feet; on the south by Strawberry Alley a distance of 60 feet; on the west by land of Eaton formerly Peter McHenry, a distance of 80 feet and by land of R. C. Harned a distance of 101½ feet having erected thereon a frame dwelling house.

Continued on next page

Charles B. Stegner

63

Titusville Trust Company, Administrator of estate of L. D. Clark, deceased

vs

Ralph W. Kerr ux
Ida G. Kerr
Entered March 18, 1940

Pro. Slayton (paid) $2.25
Atty 3.00

Of No. 308 February Term, 1935
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Sixty-six and no/100 Dollars, being the amount of debt, interest to March 12, 1935, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $66.00
Interest from March 12, 1935.

K. pages 17+81 Judgment,
Paul D. Slayton, Pro.

May 10, 1945, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.

Chas. V. Stegner
atty for Deft

Witness:

Oct. 28, 1940 Guardian's Return of Sale, filed. (presented to Court Oct. 7, 1940)

Oct. 28, 1940, Guardians answer to exceptions Return of Sale filed.

Nov. List for Nov. Jr. 1940, No. 21

Nov. 26, 1940 The Decree dated Oct. 7, 1940 Saving order is attached to the Guardians Return of Sale.

(See page 631 for orders)

Record Continued on page 631

(Record Continued from preceding page)

Said sale to be an absolute sale in fee simple, after full advertisement, for at least twenty (20) days by handbills posted in at least twenty (20) of the most public places in the borough and county where the premises are located, and in at least two (2) newspapers of general circulation not less than three (3) times in each. Security to be first entered by said Guardian in the sum of to be approved by the Court. Returnable to the first Monday of October, 1940.

Per Curiam
O. Clare Kent, P.J.

(See petition filed)

*1. Oct. 7, 1940, Exceptions by A. B. Shepardson to the Confirmation of public sale of real estate, filed.

*2. And now, Oct. 7, 1940, upon presentation of the foregoing exceptions, a rule is hereby granted to show cause why the sale should not be set aside as prayed for. Per Curiam.

Oct. 28, 1940, Petition of Charles B. Herter and Margaret W. Harter for leave to intervene and answer exceptions, filed.

And now, Oct. 28, 1940, The petitioners, Charles B. Herter and Margaret W. Herter are granted leave to intervene in the above entitled matter and make answer to the exceptions to the confirmation of the public sale mentioned in the foregoing petition filed by A. B. Shepardson. Per Curiam. (See petition filed)

Oct. 28, 1940, Answer of intervenors filed.

Donald G Thompson
64

Bessie M. Wilson
vs.
Oliver P. Wilson
Issued March 19, 1940

Subpoena in Divorce

And now, March 19, 1940 Subpoena awarded, Returnable to first Monday of May, 1940.

Per Curiam,
O. Clare Kent, P.J.

Tax & writ (paid)		3.00
Shff. Smith (paid)		6.90
George C. Magee, Jr. Master		25.00
Pro. for Co. 5/6/40. Pd.		8.10
Atty.		3.00

May 6, 1940: Received #35.00 costs. Pro. Clayton/JM

Subpoena returned. "Served the within Subpoena in Divorce upon Oliver P. Wilson, respondent, by deputizing the Sheriff of Northumberland County, Pa., as per his return hereto attached.

So answers Harry B. Smith, Sheriff

May 9-1940 - Received 25.00 - Master's Fees
Pro. C. Magee Jr.

9-20-1940 - Rec'd $1.90 refund
D.C. Thompson, Atty

(6) March 20, 1940, Served Oliver P. Wilson, within named Respondent, at the Aldine Hotel, 3d and Arch Streets, Sunbury City, Northumberland County, State of Pennsylvania, at 9:10 A.M., by handing to him a true and attested copy of the within Subpoena in Divorce, and making known unto him the contents thereof. Within named Respondent is personally known to me. So answers

W. J. Engle
Sheriff of Northumberland County.

For affidavit of service, see same attached to Subpoena.

And now, May 6th, 1940, upon hearing the within motion, George C. Magee, Jr. Esqr., is hereby appointed Master to take the testimony in the within case, and report thereon to the Court. Per Curiam.

May 9, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 44.

Now June 14, 1940 after due consideration a divorce is decreed as prayed for and the respondent, Oliver P. Wilson, is ordered to pay the costs of this proceeding. Per Curiam.

Decree: And now, to wit: June 14, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Bessie M. Wilson be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Bessie M. Wilson, the libellant, and the said Oliver P. Wilson, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

(Continued on margin)

MAY TERM, 1940

J. Perry Eckels

65

Dept. f. f.

Department of Public Assistance of the Commonwealth of Pennsylvania
vs.
Martin E. Byers, Administrator of the estate of Nancy Jane Byers, deceased.
Entered March 19, 1940

Tax & Prod (pd by Dft) 4.75
Atty 3.00

Summons in Assumpsit.
Returnable to first Monday of April next. "By" pages 149 & 31.

And now, March 19, 1940,- I hereby enter my appearance in the within entitled case, waive the issuance of a summons and accept service as fully and effectively as if a summons were duly and regularly issued to the Sheriff of Crawford County, Penna, and by him personally served upon me, and due return made thereof; and further, I do hereby confess a judgment in favor of the Department of Public Assistance of the Commonweal of Penna, plaintiff and against Martin E. Byers, administrator of the estate of Nancy Jane Byers, deceased, in the sum of $473.00, with costs of suit, release of all errors, and without stay of execution; and I waive the right and benefit of any law of this State exempting property from sale, and if levy is made on land, I hereby waive the right of inquisition, and consent to the condemnation thereof, with full liberty to sell the same on Fi. Fa., with release of errors thereon; and I authorize the Prothonotary to enter this judgment of record.

(Signed) Martin E. Byers, Administrator of the estate of Nancy Jane Byers, deceased.

(See praecipe)

Debt $473.00
Interest from March 19, 1940
Judgment
Paul D. Slayton, Prothy.

"By" pages 149 & 31.

July 6 1940, Received $473.00 debt and $3.25 costs in full of above judgment and I direct the Prothonotary to satisfy the same of record.

J. Perry Eckels
Atty for Plff.

66

F 6 Kiebort, Jr

Mrs. Hollis Hayes

vs

D. D. Ludwig

Entered Mar. 20, 1940

Tax & entry 4/10/40 Paid $ 1.50

Costs on Trans. 13.25

Pro. for Co. 2-21-41. Pd. 2.25

Atty. 3.00

Appeal by Deft from Judgment of N. B. Graham, Justice of the Peace.

Mar. 20, 1940 Acceptance of notice to Plff. of appeal filed.

And now, Feby. 5, 1941, on motion of defendant's attorney and in accordance with Rules of Court judgment of non pros is entered against the plaintiff for failure to file a statement of claim.

Judgment of Non Pros

Ha. 156

Paul D. Clayton, Prothy.

eters & Prather 67 Raymond C. Miller	Sara C. Fox vs. Garland E. Fox Issued March 21, 1940 Tax & writ (paid) 3.00 Shff. Smith	Subpoena in Divorce And now, March 21, 1940, Subpoena awarded, Returnable to first Monday of May, 1940 Per Curiam, (Sgd) O. Blare Kent, P. J. March 22, 1940, Subpoena returned, with the following endorsed thereon:- Now, March 22, 1940, I hereby accept service, by true and correct copy, of the within Subpoena in Divorce with the same force and effect as if duly served by the Sheriff upon the Respondent, Garland E. Fox, and hereby enter my appearance generally for said Respondent. (Signed) Raymond C. Miller, Attorney for Respondent

Kent & Kent

68

Ja. Boland

Nov. 20, 1941. Received of the Prothonotary $15 ~~=~~ costs for guardian ad litem fee.
A Dickson Andrews

A. D. Andrews, Guardian ad litem for Frank Stodolsky, Jr.,
vs.
Allen A. Copeland
Entered March 22, 1940

Pro. Slayton (paid 5/29/40)		5.00
A D Andrews, Gdn ad l.		15.00
Pro. Slayton 11-20-41 Pd.		11.15
Jury - Fee 11-20-41 Pd.		4.00
Atty 11-20-41 Pd. S.I.K.		3.00
		38.15

Suit No. 127 September Term, 1939

Issue to determine the title and right of possession to "All that piece of land lying and being situate in Richmond Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit: On the north by land formerly of Stanley Stodolsky formerly owned by Isaac Becktold on the east by a public road; on the south by lands of Orlando Nail and on the west by lands of Guy or Mrs William) Eldridge; containing twenty (20) acres of land, more or less; with small building thereon and being same land conveyed to Stanley Stodolsky by contract of S. M. Landers and wife."

(For order of Court, and designated pleadings, framing issue See No. 127 Sept. Term, 1939.)

On Fall Trial List, 1940, No. 25.

On Winter Trial List, 1941, No. 9.

Jany 6, 1941, Continued on application of Plff. and marked Remanet, Per Curiam.

On Spring Trial List, 1941, No. 2.

Feb. 24, 1941, Continued on application of Defendant Per Curiam.

On Fall Trial List, 1941, No. 30.

And now, October 14, 1941, a jury selected and sworn, as follows: 1- Elizabeth Fries, 2- Clyde L. Bogardus, 3- Miss Margaret Nippert, 4- Addie Fitch, 5- Anna Ellis, 6- John Connon, 7- Wm P. Eddy, 8- Mrs. Anna Schadle, Mrs. Anna Bellows, 10. Hazel Curtshall, 11- Arthur Smith, 12- Agnes Trace. twelve good and lawful persons, who upon their solemn oaths which they have taken, say, same day, they find "That A.D. Andrews, guardian ad litem for Frank Stodolsky, Jr. holds legal title and the right of possession to the 20 acres of land in Richmond Township, Crawford County, involved, mentioned and described in this proceeding."

Co. page 92.

And now, October 14, 1941 On motion in open Court, the guardians fees are set at $15.00, and it is ordered that the Prothonotary tax the same as costs.
(See paper filed) Per Curiam.

And now, Nov. 20, 1941, upon payment of the jury fee judgment is hereby entered on the verdict.

Judgment
Paul D. Slayton, Prothy.

Co. page 92.

69

Otis and Alice Hotchkiss
vs.
Eva Terrill
(A. O. Terrill, deceased)
Entered March 25, 1940
Geo. Slayton (Plff's pd) $2.25

Of No. 320, February Term, 1935, D.S.B.
Amicable Scire Facias sur Judgment
It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiffs and against the defendant, for the sum of Four hundred fifty Dollars, being the amount of debt, interest to March 26, 1939, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $450.00
Interest from Mar. 26, 1939.
Judgment
Paul D. Slayton, Pro.

T page 59.

October 28, 1943 Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.
Alice Hotchkiss
Otis Hotchkiss by Alice Hotchkiss (Otis Hotchkiss deceased)
Witness: Paul D. Slayton, Pro.

J. E. Bonard Atty
7-26-51 P.D.S.
70

S. L. Hart
vs
Homer G. Bradish ux
Edna Bradish
Entered March 25, 1940
Pro. Slayton (Plff. paid) $2.25

Of No. 319 November Term, 1934, D.S.B.
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County and duly so returned and that a judgment be entered thereon, in favor of the plaintiff and against the defendants, for the sum of Five Hundred One and 75/100 Dollars, being the amount of debt, interest to May 9, 1934, and costs now due on the original judgment note.

Debt $501.75
Interest from May 9, 1934.

Br. pages 110 & 82. Judgment
Paul D. Slayton, Pro

July 26 - 1951

Received satisfaction in full of the above Judgement, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

~~S. L. Hart~~ Former Executrix
~~J. E. Bonard~~ will of S. L. Hart, dec'd
Attorney for Plaintiff
Paul D. Slayton

onald G Thompson
71

George B. Goff
vs.
Emma C. Goff
Issued March 25, 1940

		#
✓	Tax & writ (paid)	3.00
	Sheff Smith (paid)	# 2.90
ay 6, 1940: Received	Sheff. Northampton Co. -	# 3.65
5.00 Costs to Pro. Motion	John H. Bozic, Master	25.00
	Pro. for Co. 5/6/40 Pd.	8.10
8/40. Received	Atty.	3.00
Master's fees in full -		
J. H. W. Bozic.		

5-20-1940 - Rec'd $1.90 Refund
D. G. Thompson, atty.

Subpoena in Divorce
And now, March 25, 1940 Subpoena awarded, Returnable to first Monday of May, 1940.

Per Curiam,
A. Clare Kent, P.J.

April 22, 1940: Writ returned: "Served the within Subpoena in Divorce on the Respondent, personally, on the ninth day of April, 1940, by delivering to her a true and attested copy of the same and making known to her the contents thereof as appears from affidavit as above." No answer,
W. Calvin Nickel, Sheriff of Northampton Co., Pa.

"Served the within Subpoena in Divorce on Emma C. Goff, Respondent, by deputizing the Sheriff of Northampton County, Pa., as per his return hereto attached." No answer, Harry B. Smith, Sheriff.

And now, May 6, 1940, upon hearing the within motion, John H. Bozic, Esqr, is hereby appointed Master to take the testimony in the within case, and report thereon to the Court. Per Curiam.

May 8, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 45.

Now June 14, 1940 after due Consideration a divorce is decreed as prayed for.

Per Curiam,

Decree: And now, to-wit: June 14, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said George B. Goff be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said George B. Goff, the libellant and the said Emma C. Goff, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Herbert E. Varnum 72	Oil Creek Refining Company vs. Summit Petroleum Corporation, a New York corporation Issued March 26, 1940. Tax & writ (atty paid) 3.00 Shff. Smith	Foreign Attachment in Assumpsit. Returnable to first Monday of May 1940 Bail to dissolve $2,000.00 To attach the goods, chattels, moneys, rights, credits and effects, lands and tenements of the defendant, in the hands, and possession or control of Claude Burkett, and of any other person or persons, and summon the said Claude Burkett and such other person or persons as garnishees.

J. A. Bolard

73

Trustees of Trusteed Assets of Springs-First National Bank of Cambridge Springs, Pa.
vs.
Nettie Crosley
Entered March 27, 1940

Pro. Slayton paid 3/27/40 $2.25
Atty 3.00

Of No. 257 May Term, 1935 Aff. Doc.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned, and that a judgment be entered thereon in favor of the plaintiffs and against the defendant, for the sum of One Hundred Twenty-six and 75/100 Dollars, being the amount of debt, interest to Dec. 22, 1939, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $126.75
Int. from Dec. 22, 1939
Judgment
Paul D. Slayton, Pro

Cr. page 46.

Leland J. Culbertson

74

Gertrude Smith, Administratrix of Frank Smith, decd,

vs.

Willis E. Hanna and Dora Hanna

Entered March 27, 1940

Pro. Slayton (Atty fee) 2.25
Atty Rec'd fee 3.00

Of No. 171 November Term, 1939, D.S.C. Amicable Scire Facias sur Judgment. It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of One hundred forty-three and 41/100 Dollars, being the amount of debt, interest to Nov. 6, 1939, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $143.41
Int. from Nov. 6, 1939.

Ha. pages 6 & 17. Judgment
Paul D. Slayton, Pro.

August 11, 1943, This judgment assigned to Clyde A. Smith, Guys Mills P.O.
(See paper filed)

August 11, 1943, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.
Clyde A. Smith

Witness: Paul D. Slayton, Pro.

Donald C. Thompson
75

Frances F. Johnston
vs.
Gideon B. Johnston
Issued March 27, 1940

Tax & writ (paid) $ 3.00
Shff. Smith ---
Geo. W. Bunce on Sub. (pd)
J. E. Henretta, Master 25.00
Pro. for Co. 5/7/40. Pd. 8.10
Atty. 3.00

Subpoena in Divorce
And now, March 27, 1940, Subpoena awarded, Returnable the first Monday of May, 1940.
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned. George W. Bunce makes affidavit: "That he served the Respondent, Gideon B. Johnston by handing him personally a full, true and correct copy of the within Subpoena in Divorce, duly attested by the Prothonotary, at No. 82 Main Street, Bradford Penna. on Friday, April 26, 1940, at 1:55 o'clock P. M., and that the said Gideon B. Johnston so served is the respondent named within, from information derived by by this affiant, from the said Gideon B. Johnston, and from others." (See affi. on Sub.)

And now, May 6th, 1940, upon hearing the within motion, J. E. Henretta, Esqr. is hereby appointed Master to take the testimony in the within case, and report thereon to the Court. Per Curiam.

May 14, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 46.

Now June 14, 1940 after due consideration a divorce is decreed as prayed for and the respondent, Gideon B. Johnson, is ordered to pay the cost of this proceeding. Per Curiam.

Decree. And now, to wit: June 14, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged, and decreed that the said Frances F. Johnston be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Frances F. Johnston, the libellant, and the said Gideon B. Johnston, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

May 6, 1940: Received 6.00 Costs. Pro. Clayton Fitz.

May 20-1940 - Rec'd $1.20 refund - D. C. Thompson, Atty

May 14th 1940, Recd Fees as master in above case. J. E. Henretta

J Perry Eckels
76

Aug. 12, 1940 Recd $35.00 costs
P.D.S.

Sept 18, 1940 Received from Paul Slayton, Pro the sum of $25.00, master's fee
Gerald D Prather
master

Gerald P Greenfield
vs.
Dorothy Ann Greenfield
Issued March 27, 1940

Tax & writ (pdg/rqd/pd) $3.00
Shff Smith paid - 1.60
Shff. Smith Alias (pd) 1.60
Shff. Smith, proc (pd) 1.1.15
Gerald D. Prather, Master 25.00
Pro. for Co. 8/13/40. Pd. 10.00
Atty. 3.00

Subpoena in Divorce
And now, March 27, 1940 Subpoena awarded, returnable to the first Monday of May, 1940
Per Curiam,
Oblare Kent, P.J.

And now, May 6, 1940, writ returned. Non est inventus as to the within named respondent. So answers,
Harry B. Smith, Sheriff.

May 25, 1940: Alias Subpoena in Divorce issued returnable the first Monday of July next.

Alias Subpoena retd. July 1, 1940, Non est inventus as to the within named respondent. So answers
Harry B. Smith, Sheriff

July 3, 1940, Order issued for publication of Sheriffs proclamation in divorce, returnable to first Monday of Augu

And now Aug. 5, 1940, --- I have made proclamatio in the above entitled case according to law, and caused the same to be published in the Enterprise-New Cambridge Springs, Pa., a newspaper printed within m bailwick, once a week for three successive weeks, pr to return day thereof, as per copy of said proclamation and proof of publication hereto attached.
So answers Harry B. Smith, Sheriff

And now, Aug. 12, 1940, Gerald D. Prather Esq., is appointed Master to take testimony in the above case and report to the Court.
Per Curiam.

Sept. 18, 1940. Testimony and Report of Master filed.
On Argt List for Sept Term, 1940, No. 35.

Now Sept. 27, 1940 After due consideration a divorce is decreed as prayed for. (Decree) Per Curiam.

And now to-wit Sept 27-AD-1940. this cause came on hand to be heard on libel, subpoena, service, proceedings, and evidence thereon duly taken and filed of record and it appearing to the Court that the cause set forth in said libel are true, it is by the Court ordered, adjudged decreed that the said Gerald P. Greenfield be divorced and forever separated from the mutual ties & bonds of matrimony heretofore contracted between the said Gerald P. Greenfield the libellant and the said Dorothy Ann Greenfield the respondent: and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage shall cease and determine: and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married
Per Curiam.

J. Perry Eckels

Howard M. Gehr, administrator of the estate of Bert B. Gehr, deceased, for the benefit of Hazel Pearl Gehr, Ruth Gehr, Harold Gehr, Virginia Gehr, Maxine Gehr, Francis Gehr[ns] James Gehr,

vs.

77

Paul E. Thomas

Bessemer and Lake Erie Railroad Company

Entered April 1, 1940

Tax & entry 8/8/40. Pd. $2.00
Pro. S. 8/8/40. Pd. 4.00
Atty. 3.00

Summons in Trespass
Returnable to the first Monday of April next.

And now, April 1, 1940, Paul E. Thomas, Esq. appears for the defendant, waives the issuing of Summons, and accepts service thereof, with the same force and effect as if summons had been duly and regularly issued and served by the Sheriff of Crawford County. (See praecipe)

April 1, 1940, Petition for approval of settlement filed.

And now, the 1st day of April, 1940, upon presentation of the within petition and due consideration of the same, the prayer of the petition is granted, and leave is granted to the parties to make settlement of the case upon the terms set forth in the petition, and upon consummation of said settlement, the plaintiff is authorized to discontinue the action of record.

(See praecipe filed)

Per Curiam.

And now, April 15 1940. This case settled and discontinued of record. All costs paid.

J. Perry Eckels
Attorney for Plaintiff.

Walter J. McClintock Bryan & Evans 78	First National Bank of Albion, Pa., vs. Mrs. Hesper Henderson Issued April 1, 1940 Pltf Clayton 4/3/40, Pd. $2.25 Shff Smith 4/20/40 Pd. $7.10	Of No. 96 February Term, 1933. Affi. Sci. Facias to revive and contin the lien of the above judgment, Returnable to next term "He" page 27. April 20, 1940: Writ returned: Serv the within Sci. Fa. to Revive Judgm personally, on Mrs. Hesper Henderson on April 2, 1940, at 12:00 o'clock no at her residence in Upping Township Crawford County, Pa., By handing to he a true and attested copy of the writ Sci. Fa. to Revive Judgment and making contents of same known to her. So answers, Harry B. Smith, Sh

Now April 20, 1940 this proceeding is discontinued and the Prothonotary is directed to mark satisfied the judgment upon which it is based, all costs paid.

Walter J. McClintock
atty for Pltf.

Joseph Thomas
79

Theodore Smith Everett
vs
Eva Ruth Everett
Issued April 1, 1940

	$
Jay & writ (paid)	3.00
Stiff Smith (paid)	7.10
John H. Bozic, master	25.00
Pro. for Co. 10-14-40. Rd.	8.10
Atty.	3.00

Oct. 14, 1940 Received from libellant 33.10 on account of costs
Paul D. Slayton, Esq.

11/13/40. Received $25.00
Master's Fee.
John H. Bozic
Master

Subpoena in Divorce

And now, April 1, 1940, Subpoena awarded, Returnable to the first Monday of May, 1940.

Per Curiam
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the respondent personally on the 2d day of April, 1940, by delivering to her, a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit as above.
So answers Harry B. Smith, Sheriff

And now, Nov. 4, 1940, John H. Bozic, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.

Per Curiam,

Nov. 13, 1940, Testimony and Report of Master filed.

On Argr. List for Nov. Term, 1940, No. 28.

Nov. 29, 1940 After due consideration a divorce is decreed as prayed for.

Per Curiam,
O. Clare Kent, P. J.

Decree.

And now, to wit: November 29 - A.D. 1940, this cause came on to be heard on libel subpoena, subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the Court, that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed,

That the said Theodore Smith Everett be divorced and forever separated from the nuptial ties and bonds of matrimony here to fore contracted between him the said Theodore Smith Everett the libellant and the said Eva Ruth Everett the Respondent and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time here to fore in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been Married

per Curiam.

F. Joseph Thomas
80

Viola M. Thompson
vs.
Thomas G. Thompson
Issued April 1, 1940

Taxt writ (paid) $3.00
Stff. Smith (paid) 9.10
Kenneth N. Rice, Master 25.00
Pro. for Co. 5/14/40. Pd. 8.10
Atty. 3.00

Subpoena in Divorce
And now, April 1, 1940 Subpoena awarded, Returnable to the first Monday of May, 1940
Per Curiam,
O. Clare Kent, P.C.

Subpoena returned: Served the with Subpoena in Divorce on the Respondent personally on the 10th day of April, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So ans, Harry B. Smith, Shff.

May 9, 1940 Rec'd $35.00 costs.
P.D.S.

And now, May 9, 1940, Kenneth Rice, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.
Per Curiam,

May 25, 1940 Rec'd 25.00
Masters fee
Kenneth N. Rice Master

May 24, 1940. Testimony and Report of Master filed.
On Argument List for May Term, 1940, No. 58.

Aug 13, 1940 rec'd 1.90 cost
F. Joseph Thomas

Now June 18, 1940 after due consideration a divorce is decreed as prayed for and the respondent, Thomas G. Thompson, is ordered to pay the cost of this proceeding.
Per Curiam,

Decree: And now, to wit: June 18, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Viola M. Thompson be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Viola M. Thompson, the libellant, and the said Thomas G. Thompson, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

MAY TERM, 1940

Joseph Thomas 81	Marion M. Barstow vs. Leon K. Barstow Issued April 1, 1940 Tax & writ (paid) $3.00 Shff. Smith (paid) 3.50	Subpoena in Divorce And now, April 1, 1940, Subpoena awarded, Returnable to the first Monday of May next. Per Curiam, O. Clare Kent, C.J. Subpoena returned: Served the within Subpoena in Divorce on the respondent personally on the 5th day of April, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers, Harry B. Smith, Sheriff.

McDonald & Kraffert
82

May 13, 1940: Received $35.00 costs. Pro. Slayton, Esq.

9-3-40 Paid to Master's fee Charles B. Stegner, Esq. $10.00

Bill Nov. 11, 1940 — $1.00 Paid. E. J. McDonald

Elizabeth Alice Wakefield
vs.
William J. Wakefield
Issued April 1, 1940

	$
Tax & writ paid 4-10-40	3.00
Stiff Smith	---
Const. McCutcheon (pd)	.70
Charles B. Stegner, Master	25.00
Pro. for Co. 5/13/40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, April 1, 1940, upon presentation of the within libel a subpoena in divorce is ordered to be issued, returnable to first Monday of May next.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: W. G. McCutcheon, Constable, makes affidavit That he served the within Subpoena in Divorce on the within named respondent, William J. Wakefield, on Friday, April 5, 1940, at 11:30 o'clock A.M., at No. 228 S. Franklin St. Titusville, Pa., by reading the same to him, and handing to him a true and attested copy of the same. (See affidavit on Subpoena)

And now, May 13, 1940, Charles B. Stegner, Esq., is appointed Master as prayed for.

Per Curiam,

Sept. 3, 1940, Testimony and Report of Master filed.

On App. List for Sept. Term, 1940, No. 36.

Now Oct. 2, 1940 After due consideration a divorce is decreed as prayed for and the respondent, William J. Wakefield, is ordered to pay the cost of this proceeding.

Per Curiam

Decree: And now to-wit Oct 2, A.D. 1940 O. Clare Kent, P.J.

This cause came on to be heard on libel subpoena, subsequent proceedings and evidence thereto, duly taken and filed of record, and, it appearing to the court that the cause set forth in said libel are true it is by the court ordered adjudged & decreed, That the said Elizabeth Alice Wakefield be divorced and forever separated from the married ties and bonds of matrimony heretofore contracted between her the said Elizabeth Alice Wakefield the ~~respondent~~ libellant and the said William J. Wakefield the respondent and that there upon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore by reason of said marriage shall cease & determine; and the said libellant and said respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam

Kenneth W. Rice
83

5.23.1940. Rec'd $35.00 costs
P.D.S.

9-40 Rec'd $25.00
ster's fee from
Clayton
Raymond C. Miller
master.

William H. Nichols Jr.
vs.
Elizabeth M. Nichols
Issued April 2, 1940

Tax & writ (paid)	$ 3.00
Shff. Smith (paid)	1.60
Shff. Smith, alias (paid)	1.60
Shff. Smith, proc (paid)	1.15
Pro. Clayton 9-23-40 Rd.	10.00
Raymond C. Miller, Master	25.00
Atty.	3.00

Subpoena in Divorce
And now, April 2, 1940, Subpoena awarded, Returnable to second Monday of May, 1940.
Per Curiam,
O. Clare Kent, P.J.

And now, May 13, 1940, writ retd. Non est inventus as to the within named respondent.
So answers Harry B. Smith, Shff.

May 16, 1940, Alias Subpoena in Divorce issued, returnable to first Monday of July next.

Alias Subpoena retd: July 1, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Shff.

July 9, 1940, Order issued for publication of Sheriffs proclamation in Divorce, returnable to first Monday of Sept. next.

And now, Sept. 2, 1940, --- I have made proclamation in the above entitled case according to law, and caused the same to be published in the Enterprise-News, Cambridge Springs, Pa., a newspaper printed within my bailiwick once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached. So answers
Harry B. Smith, Sheriff

On Arg't. List for Sept. Term, 1940, No. 37.
And now, Sept. 20, 1940, Raymond C. Miller, Esq., is appointed Master in the above entitled case. Per Curiam.

Nov. 29, 1940, Testimony and Report of Master filed,

On Arg't. List for Nov. Term, 1940, No. 29

Nov. 29, 1940 After due consideration a divorce is decreed as prayed for.
Per Curiam,

Decree.

And now: to wit November 29: A.D. 1940 this cause came on to be heard on libel subpoena subsequent proceedings and evidence thereon duly taken and filed of record, and it appearing to this court, that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed.

That the said William H. Nichols Jr. the libellant ~~& Elizabeth M. Nichols~~ be forever separated from the marital ties, and bonds of matrimony heretofore contracted between him the said William H. Nichols Jr. the libellant and the said Elizabeth M. Nichols the respondent; and that thereupon all and every, the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine: And the said libellant and said respondent shall be at liberty to marry again in like manner as if they had never been married.
per.
Curiam,

Kenneth W. Rice
84

May 14, 1940. Received $35.60 costs. Pro. Clayton Geer

May 24, 1940. Received $25. in Master's fee from Crotty & Duncan Andrew

Received 1st Refund
Aug 12, 1940
K W Rice

Harold C. Berry
vs
Frances A. Berry
Issued April 2, 1940

Jas. Kurtz (paid)	$3.00
Shff. Smith (paid)	4.30
A. D. Andrews, Master	25.00
Pro. for Co. 5/15/40, Pd.	8.10
Atty.	3.00

Subpoena in Divorce
And now, April 2, 1940 Subpoena awarded, Returnable to Second Monday of May, 1940.
Per Curiam,
O. Clare Kent, Pro

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 24th day of April, 1940, by delivering to her a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit as above.
So answers Harry B. Smith, Sheriff

And now, May 14th, 1940, A. D. Andrews Esq., is appointed Master in the within entitled case to take testimony and report thereon to the Court. Per Curiam.

May 24, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 59.

Now June 18, 1940 after due consideration a divorce is decreed as prayed for.

Per Curiam.

Decree: And now, to-wit: June 18, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed that the said Harold C. Berry be divorced and forever separated from the nuptial ties and bands of matrimony heretofore contracted between him, the said Harold C. Berry, the libellant, and the said Frances A. Berry, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

MAY TERM, 1940

J. Perry Eckels 8.5 Lynn Mackey 5/6, 1940 P.D. Pro	Department of Public Assistance of the Commonwealth of Pennsylvania, vs. Frank M. Hull, administrator of the estate of Nellie Gray, deceased. Issued April 3, 1940 Fee writ 1-30-41 $1.75 Sheff. Smith Paid $9.50 State tax .50	Summons in Assumpsit. Returnable to first Monday of May next. Dec. p. 96; G. p. 213 April 3, 1940 Statment of claim filed May 6, 1940, Eugene Mackey, Esq., appears for Defts. (See paper filed.) May 7, 1940, Affidavit of defense filed. On Fall Trial List, 1940, No. 29. Writ returned. Sheriff says he served the within Summons, togather with copy of Statement of Claim, Personally, on Frank M. Hull Administrator of the estate of Nellie Gray, deceased on April 6, 1940 at 3:15 o'clock P.M. at his residence on N. Perry Street, City of Titusville Crawford County, Pa. by handing to him a true and attested copy of the within Summons, togather with copy of Statement of Claim and Making contents of same known to him. So answers Harry B. Smith. Sheriff. On Winter Trial List, 1941, No. 11. Jany. 6, 1941. Contd on application of Defts. Per Curiam.

Paul E. Thomas
86

May 13, 1940. Rec'd $35.00 costs.

5/22/1940 – Rec'd $25.00 master's fee. D.C. Thompson, Atty.

Aug. 10, 40 Rec'd refund $1.90
P. E. Thomas

Virginia Johnson
vs.
Harold T. Johnson
Issued April 5, 1940

Tax & writ (paid)	$3.00
Stuff Smith Pd.	3.40
Donald C. Thompson, Master	25.00
Pro. for Co. 5/14/40.	8.10
Atty.	3.00

Subpoena in Divorce
And now, April 5, 1940, Subpoena awarded Returnable to the second Monday of May next.
Per Curiam,
O. Clare Kent, P.J.

May 14, 1940. Subpoena retd.: Served the within Subpoena in Divorce on the respondent, personally, on the 8th day of April, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers,
Harry B. Smith, Sheriff.

And now, May 13, 1940, Donald C. Thompson, Esq., is hereby appointed Master as prayed for. Per Curiam.

May 22, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 47.

Now June 14, 1940, after due consideration a divorce is decreed as prayed for and the respondent, Harold T. Johnson, is ordered to pay the cost of this proceeding. Per Curiam.

Decree: And now, to-wit: June 14, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, decreed and adjudged that the said Virginia Johnson be divorced and forever separated from the marital ties and bonds of matrimony heretofore contracted between her, the said Virginia Johnson, libellant, and the said Harold T. Johnson, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Kent & Kent

87

In the Matter of the assignment of W. A. Bates of the City of Meadville to John L. Dale, for the benefit of creditors. Entered April 5, 1940

Pro. Slayton 6/10/40 ck. # 3.00
Pro. for Co. 2-10-47 Pd. 5.58

April 5, 1940, Petition of Assignee for appointment of appraisers, presented to Hon. O. Clare Kent, P.J., and filed.

Now, April 5, 1940, upon presentation and consideration of the within petition, Guy S. Beatty and Earl A. Byham, are appointed appointed appraisers, to appraise the property assigned to John L. Dale, for the benefit of creditors.

Per Curiam
O. Clare Kent, P.J.

Same day, Certificate of appointment issued.

Dec. 11, 1943 Inventory and Appraisement filed amounting to $43.00

February 1, 1947, Assignee's Report and Account Filed.

Order: And now, Feby. 1st, 1947, the Prothonotary is hereby authorized to file this account and to cause notice of the filing of this account to be given by advertisement in the Tribune Republican of Meadville, Pennsylvania, for one issue thereof, and setting forth further in said notice that the account will be allowed by the Court on March 3, 1947, unless cause be shown why such account should not be allowed. Per Curiam.

O. Clare Kent P.J.

Same day advertisement of Notice of Filing Account and Report sent to the Tribune Publishing Company, Meadville, Pa., to be inserted in one issue and setting forth that said Report and account will be allowed by the Court on March 3, 1947, unless cause be shown why such account should not be allowed.

Feby. 10, 1947, Proof of publication filed.

3/4/47 no exceptions being filed this account is confirmed.

Per Curiam
O. Clare Kent, P. J.

2-10-47, Paid The Tribune Publishing Co. $3.25 adv. by Check No. 2607.
" P. O. S.

88

First National Bank of Edinboro, Edinboro, Pa.
vs.
Fred W. Halfast
Entered April 5, 1940

Pro. Slayton (paid) $2.25

Of No. 119 May Term, 1935, Apl. Dkt. 2. Amicable Sci. Fa. sur Judgment. It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Ten hundred eighty Dollars, being the amount of debt, interest to Feb. 29, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $1080.00
Int. from Feb. 29, 1940,

Ha. page 17.

Judgment
Paul D. Slayton, Pro.

July 17, 1944, This judgment satisfied. (See papers filed.)

Peters & Prather
89

Harry Van Wyck
vs.
W. M. Curtis and
A. A. Curtis
Entered April 5, 1940

Pro. Slayton (Paid) 2.25
Atty 3.00
Attys Peters & Prather
on original 3.00

Of No. 500 February Term, 1936, D.S.B.
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Twelve Hundred Thirty-two Dollars being the amount of debt, interest to Mar. 7, 1940 and Costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $1232.00
Interest from Mar. 7, 1940
Judgment.
Paul D. Slayton, Pro.

See pages 74 & 77.

May 10th, 1944.
Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Peters & Prather, Frank P. Prather,

Witness: Paul D. Slayton, Pro.

Leland J. Culbertson Hosback & Gleeter 90 Herbert E. Varnum for O.C.R. Co.	Auto Car Sales & Service Co., Inc. vs. Oil Creek Refining Company, Harry B. Smith, Sheriff of Crawford County and Summit Petroleum Corporation, a New York corporation Issued April 5, 1940 Tax & writ (paid) $ 3.00	Replevin for 1939 Autocar, Model C80T, Chassis No. C80T-397 Motor No. 45-172, Pennsylvania 19 License number Z 419 D, of the value of Five Thousand Dollars ($5000.00), Returnable to first Monday of May, 1940 April 5, 1940 Affidavit of value filed. April 18, 1940 Bond of plaintiff with Glens Falls Indemnity Co., as surety, in the penal sum of $4000.00, approved and filed Same day, Herbert E. Varnum Esq. appears for Oil Creek Refining Co., one of the defendants in the above case, and for said defendant consents to the approval of bond in amount of $4000.00 in the above entitled case (See paper filed)

eland J. Culbertson

91

The Federal Land Bank of Baltimore

vs.

Levi L. Warren, real owner, and defendant and Eva J. Warren, Defendant

Issued April 5, 1940

Tax & writ ($3.00 Pd)	3.50	
Rec. Smock	.50	
Stff. Smith (paid)	11.30	
Pro. for Co. (pd 7/9/40)	2.50	
Atty.	3.00	
	20.80	

Scire Facias sur Mortgage recorded in Mortgage Book Vol. 152, page 355. Returnable to first Monday of May, 1940

April 5, 1940 Affidavit of ownership & affidavit of default filed.

Same day, Statement of claim filed. 2 copies certified.

Writ returned: Served the within Sci. Fa. sur Mortgage, together with copy of Statement of claim personally on Levi L. Warren, real owner and defendant on April 11, 1940, at 11:40 o'clock A. M. at his residence in Conneaut Tp. Crawford County, Pa., by handing to him a true and attested copy thereof and making contents of same known to him. Also served the within Sci. Fa. and copy of Statement on Eva J. Warren, Deft. on April 11, 1940, at 11:40 o'clock A. M., at her residence in Conneaut Tp., Crawford County by handing to her a true and attested copy thereof and making contents of same known to her.

So answers, Harry B. Smith, Sheriff.

And now, May 28, 1940, On motion of plaintiff's attorney, judgment is entered against the defendants and in favor of the plaintiff for want of an appearance and affidavit of defense, and liquidated at the sum of Two Thousand Five Hundred Eighty-two & 75/100 Dollars, with costs of suit.

Debt	$2582.75
Atty's. Com. included	103.38

Int. from May 26, 1940,

Judgment

Paul D. Slayton,

Prothonotary.

Wa, -153,

Lev. Fac. No. 15 Sept. Term, 1940.

J Perry Eckels

92
Deft. p.p.

Department of Public Assistance of the Commonwealth of Pennsylvania,
vs
Mary A Moore, administratrix of the estate of Kate Cornell, deceased
Entered April 5, 1940

Pro Slayton (paid)	$ 3.00
Atty	3.00
State tax	.50

Summons in Assumpsit. Returnable to first Monday of May next. "M" p. 194; "Co" p. 55.

And now, April 6, 1940, The defendant Mary A. Moore, Administratrix of the estate of Kate Cornell, deceased enters her appearance in the above entitled case, waives the issuance of a summons, and accepts service as fully and effectively as if a summons were duly and regularly issued to the Sheriff of Crawford Co. Penna, and by him personally served upon her, and due return made thereof; and further confesses judgment in favor of Department of Public Assistance of the Com. of Penna, plaintiff, and against the said defendant, in the sum of Six hundred sixty-nine and 50/100 ($669.50), with costs of suit, release of all errors, without stay of execution; and waives the right and benefit of any law exempting property from sale, and if levy is made on land, does waive the right of inquisition, and consents to the condemnation thereof, with full liberty to sell the same on fi. fa. with release of errors thereon.

(See praecipe)

	$
Debt	669.50
Int. from April 6, 1940	

"M" page 194; "Co" page 55 Judgment

Paul D. Slayton, Pro

MAY TERM, 1940

Joseph Thomas 93	Bernice Higgins vs. Francis C. Higgins Issued April 6, 1940 Tax writ 4/29/40 (C.) $3.00 Shff. Smith (paid) 3.20	Subpoena in Divorce And now, April 6, 1940, Subpoena awarded, Returnable to the first Monday of May, 1940. Per Curiam, O. Clare Kent, P.J. Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 8th day of April, 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof, as appears from affidavit as above. So and. Harry B. Smith, Shff.

F. Joseph Thomas
94

May 6, 1940, Recd $35.00 costs.
P. P. B.

May 11, 1940 Recd $20 for Master fee
Arden D. Mook
Master

Aug 13, 1940 rec'd $1.90 refund costs
F. Jos. Thomas

Margaret B. Luck
vs.
William J. Luck
Issued April 6, 1940

Tax writ 4/29/40 Pd.	$3.00
Shff. Smith Pd.	2.90
Shff. McKean Co. Pd.	6.75
Arden D. Mook, Master	25.00
Pra for Co. 5/10/40, Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, April 6, 1940, Subpoena awarded, Returnable to the first Monday of May, 1940.

Per Curiam,
O. Clare Kent, P.J.

May 10, 1940, Subpoena retd.; Served the within Subpoena in Divorce upon William J. Luck Respondent by deputizing the Sheriff of McKean County, Pa., as per his return hereto attached. So answers,

Harry B. Smith, Sheriff

Served the within Subpoena in Divorce April 9th, 1940, upon William J. Luck, whom I know by his own admission to be the respondent within named, at No. 14 Mechanic St., in the City of Bradford, McKean County, Pennsylvania, by making known to him the contents thereof and by handing to him a true and attested copy of same: personally. So answers,

Geo. D. Calhoun, Sheriff, McKean Co. Pa.

And now, May 6, 1940, Arden D. Mook, Esq., is appointed Master to take testimony in the above entitled case and make a report thereof to the Court.

Per Curiam

May 11, 1940, Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 48.

June 18, 1940 After due consideration a divorce is decreed as prayed for and the respondent, William J. Luck, is ordered to pay the cost of this proceeding.

Per Curiam

Decree: And now, to-wit: June 18, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence thereon, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Margaret B. Luck be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her, the said Margaret B. Luck, the libellant and the said William J. Luck, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time hereto-fore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Joseph Thomas
95

Dallas A. Steele
vs
Geraldine Mae Steele
Issued April 6, 1940

Subpoena in Divorce
And now, April 6, 1940 Subpoena awarded, Returnable to first Monday of May, 1940.
Per Curiam,
O Clare Kent, P.J.

Tax & writ 4/29/40 Pd. $3.00
Shff. Smith (paid) 3.70
Leland J. Culbertson, Master (Paid) 25.00
Pro. for Co. 5/16/40. Pd. 8.10
Atty. 3.00

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 8th day of April, 1940, by delivering to her a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit as above.
So answers, Harry B. Smith, Shff.

May 16, 1940. Recd. $35.00 costs. P.D.S.

May 13, 1940
Rec'd $20 on acct
Pf. Joseph Thomas

And now, May 16, 1940 Leland J. Culbertson, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.
Per Curiam.

May 23, 1940. Testimony and Report of Master filed.

On Argument List for May Term, 1940, No. 49.

Now June 18, 1940 After due consideration a divorce is decreed as prayed for.
Per Curiam.

Decree: And now, to wit: June 18, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed that the said Dallas A. Steele be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him, the said Dallas A. Steele, the libellant, and the said Geraldine Mae Steele, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

96	Moreland Bros. and Estate of Thomas S. Moreland vs W. H. Artman and Margaret E. Artman Entered April 8, 1940 Pro. Slayton Paid $2.25	Of No. 362 February Term, 1940 D. Amicable Scire Facias sur judgment. It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued and served personally on the defendants by the Sheriff of said County, and duly so returned, and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of Two Hundred Two and 2/100 Dollars, being the amount of debt, interest to April 8, 1935, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt $202.02 Int. from April 8, 1935 "A" page 16,16 Judgment Paul D. Slayton, Pro.

nald & Thompson 97	Vasil Lazar vs Mary Kosturak, also known as Mary Kosturik, defendant, and Andrew Kosturik, terre tenant. Issued April 8, 1940 Pro Clayton (Atty fee) 2.25 Sheff Smith (paid) 8.90	Of No. 38 September Term, 1934 Appd. Scire Facias to revive and continue the lien of the above judgment against Mary Kosturak (also known as Mary Kosturik) with notice to Andrew Kosturik terre tenant. Returnable to first Monday, 1940 "K" pp. 81, 63, 107. April 9, 1940. Statement of claim filed. 2 copies certified. Writ returned: Served the within Sci. Fa. with copy of Statement of claim on Mary Kosturak a/k/a Mary Kosturik, deft. on April 16, 1940, at 3 o'clock P.M. at her home in Sadsbury Tp., Crawford County, Pa., by handing to her a true and attested copy thereof and making contents of same known to her. Also, Served the within Sci. Fa. and Statement of claim on Andrew Kosturik, terre tenant, by handing a true and attested copy thereof to Mary Kosturik an adult member of his family, at his dwelling house in Sadsbury Tp., on April 16, 1940, at 3 o'clock P.M., and making contents of same known to her. So answers Harry B. Smith, Sheriff.

Kent & Kent	Keps Electric Company, a Pennsylvania corporation, vs. Barton D. Brickner and Robert G. Brickner individually and trading as B. & B. Electrick Company Issued April 9, 1940	Summons in Assumpsit Returnable to first Monday of May, 1940. April 9, 1940 Statement of claim filed. 2 copies certified. Writ returned: Served the within Summons, together with copy of statement of claim personally on Barton D. Brickner, individually and trading as B. & B. Electrick Company, on April 10, 1940, at 5½ o'clock P.M., at 107 E. Spruce St., City of Titusville, Crawford County, Pa., by handing to him a true and attested copy thereof, and making contents of same known to him.
98	✓ Tax & writ (paid) $2.00 Sheriff Smith (pd) 11.90 ✓ Pro. Slayton 12/30/40 pd. 3.00 Atty 3.00	

Also, served the within summons together with copy of Statement of claim on Robert G. Brickner, individually and trading as B. & B. Electric Company, by mailing to him by registered mail, postage prepaid, on April 17, 1940, a true and attested copy of the within summons, together with copy of Statement of claim, at 133 Wildwood Avenue, Buffalo, N.Y., his last known address, which was received by him on April 1940, as per return receipt hereto attached and made a part of this return.

So answers Harry B. Smith, Sheriff.

And now, June 5, 1940, upon praecipe of plaintiff's attorneys, judgment is entered in favor of the plaintiff and against the defendants, for want of an appearance and an affidavit of defense and same liquidated at the sum of Three hundred fifty-eight and 34/100 Dollars, with costs of suit.

(See paper filed)

Debt 358.34
Int. from June 5, 1940
Judgment
Paul D. Slayton, Pro.

Br. pp 151 & 142
Firm page 107.

alter J. McClintock
99

Crawford County Poor Directors, now Crawford County Institution District
vs.
Mrs A. H. Cartright also known as Mary Cartright
Entered April 9, 1940
Pro. Slayton $2.25
Atty 3.00

Of No. 285 November Term, 1934 D&B
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned: and that a judgment be entered thereon, in favor of the plaintiff and against the defendant for the sum of Two Hundred Nine 90/100 Dollars, being the amount of debt, interest to April 1, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $209.90
Interest from April 1, 1940
Judgment
Paul D. Slayton, Pro.

"Ca." page 72.

April 26, 1943. Plaintiff credits upon the above judgment, $150.00, and in consideration thereof releases from the lien of said judgment, all that certain piece or parcel of land situate in the Borough of Conneautville, bounded and described as follows, to wit: On the north by land of Wilson Frazier; on the east by Dock Alley; on the south by land formerly of Mrs. Faber; on the west by Pennsylvania Canal now Bessemer Railroad, being the same land conveyed to A. H. Cartright by deed dated Nov. 3, 1910 and recorded in Crawford County Deed Book 189, page 648. (See paper filed.)

100	In re Annual Report of County Auditors for the fiscal year ending at 12 o'clock noon on January 1, 1940 Entered April 1, 1940 Pro. Slayton $2.50	Now, April 1, 1940, the within report filed in open Court, and ordered to be published according to law. Per Curiam, Oblare Kent, P.J. April 9, 1940, Report filed in the Prothonotarys office.

101

Madden Brothers, now to the use of First National Bank, Albion, Pa.,
vs.
Amos Terrill.
Entered April 10, 1940
Pro. Slayton (Peff. fee) $2.25
Peff. on Orig'l 1.75

Of No. 376 February Term, 1935, D&B
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Eighty and no/100 Dollars, being the amount of debt, interest to May 23, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment;

Debt $80.00
Int from May 23, 1940

T. page 59.

Judgment
Paul D. Slayton, Pro.

May 9th, 1945

Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

First Nat'l Bank at Albion Pa
Chas. E. Knight Atty-in-fact

Witness:
Paul D. Slayton

102

First National Bank at Albion, Pa.
vs.
Amos Terrill
Entered April 10, 1940

Pro Slayton (Plff) pd $2.25

Original costs
Plff 1.75
Bryan & Evans, Atty 3.00

July 26, 1944., Bryan, Jocelin & Bryan remit the three ($3.00) dollar docket fee in this case. (See paper filed.)

Of No. 377 February Term, 1935, D.S.
Amicable Scire Facias sur Judgm
It is agreed That the Prothonot
of said Court enter an Amic
ble Scire Facias upon the ab
judgment, with the same
effect as if a Scire Facias t
revive the same had been
regularly issued; served p
sonally on the defendant
by the Sheriff of said county
and duly so returned; an
that a judgment be entere
thereon, in favor of the plaintiff and agains
the defendant, for the sum of One hundred
eighty-three and no/100 Dollars, being the amoun
of debt, interest to May 23, 1940, and costs now
due on the original judgment; with all the
waivers and contained in the original judg
ment note.

Debt $183.00
Int. from May 23, 1940
Judgment
Paul D. Slayton, Pro

T page 59.

May 9th, 1945

Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

First Natl Bank at Albion Pa
Chas C Loveless
Witness: atty in fact.
Paul D. Slayton

MAY TERM, 1940

103 Kenneth W. Rice	R. C. Grindaker vs W. P. Hamilton and Mrs. W. P. Hamilton Entered April 19, 1940 Tax Entry (Dft. pd) 1.50 Costs on Pltf's (Dft. pd) 7.45 Pro. Clayton (5 writs 5 subs 5 alias 1 ltr any) 1.75 Atty 3.00	Appeal by Defts. from Judgment of P. G. Mat. Farnaghan, Alderman. April 15, 1940. Proof of service of notice of filing appeal upon plaintiff, filed. And now, May 25, 1940, On motion of Defts. Attorney, judgment of Non Pros. entered for want of a Statement of Claim. (See paper filed.) G. page 123. Judgment Paul D. Clayton Pro

104

Robert B. Porter, and
John R. Fry, Assignees
of Jamestown
Banking Company,
for benefit of Creditors,
vs.
Frank DeCiancio,
Francesco Azzinnaro
and Rocco Foglia
Entered April 10, 1940

Pro. Slayton (paid) $2.25

Atty Harry L. Keck
on original } 3.00

Of No. 261 May Term, 1935 Appt. Dkt.
Amicable Scire Facias sur Judgment.

It is agreed by the parties that amicable action of Scire Facias be entered to revive and continue the lien of the above judgment with the same effect as if a writ of Scire Facias had been regularly issued, served personally on the defendants, and so returned And that a judgment be entered thereon against the defendants and in favor of the plaintiffs above named, and that the judgment aforesaid be revived according to Act of Assembly, with costs, etc., Attorneys commission of five per cent for collection; and waiving exemption, inquisition and stay of execution. Sum to be liquidated by the Prothonotary at $1478.00 with interest from April 1, 1940, plus attorneys commission and costs.

And now, April 10, 1940, agreeably to the above confession of judgment, the same is liquidated by the Prothonotary, as follows:-

Debt as of April 1, 1940,	$1478.00
Attorneys com. of 5% thereon,	73.90
Costs on original use of pltf	4.00
Total	$1555.90

Original attorney-fee, being unpaid, to be brought forward.

Debt $1555.90

Interest from April 1, 1940.

Dft 134; A ft 48; F ft 51.

Judgment.

Paul D. Slayton, Prothy

MAY TERM, 1940

Raymond G Miller
ref Statement
105
F C Kubert Jr
George J Barco
ct. 11-13-43. P.D.S.

-18-1944
Pothonotary
8.3V.
Mailed copy to Pltf

-19-43 rec'd & Docket fee 3.00 Copies Costs 3.50 by Barco

-6-47- received costs in full Geo J Barco, atty for Defendant.

Thomas Fortuna
vs
William Blentge
and Mary Blentge
Entered April 11, 1940

Tax Sentry (paid)		$1.50
Costs on Trans (3.00 paid by Pltf.)		10.35
Judgt. nom. pros. 11-18-43 Ct. (by deft.)		1.50
Pro. for Co. 11-18-43 Ct.		2.00
Atty.		3.00
Cert. 5-4-44 Pd.		.50

Appeal by Defts from Judgment of S.G. MacTarnaghan Alderman
April 11, 1940 Acceptance of service of notice of appeal filed.
May 2, 1940, Statement of claim filed. Service accepted.
And now, Oct. 23, 1940, On motion of Defts. atty, rule granted on Pltff to show cause why a more specific Statement of Claim should not be filed; all proceedings to stay meanwhile. Per Curiam,
(See paper filed) O Clare Kent, PJ

And now, Nov. 13, 1943 on praecipe of defendant's attorney and in accordance with Rules of Court, judgment of non. pros. is hereby entered against the plaintiff.

Judgment of Non. Pros.
Paul P. Slayton,
Prothonotary.

F. page 36.

And, now March 6, 1947 received of the plaintiff all costs in full and the Prothonotary is hereby authorized to satisfy this judgment of record.

George J Barco
atty for Defendant

Stuart A. Culbertson 106	W. E. Wyatt & Son vs. James C. Chain Issued April 11, 1940 Tax & writ (paid) $ 3.00 Shff. Smith (pd.) $ 3.20 Pro. fas Co. pd 4/22/40 $ 1.00	Replevin for 1 Super DeLuxe car radio, Serial No. D40-9146 of the value of Sixty-three Dollars; Returnable to the first Monday of May, 1940. April 11, 1940, Narr and affidavit of value filed. Same day Bond of plaintiff with L. E. Hall as surety, in the sum of $126.00, approved and filed.

And now April 19 1940 I hereby discontinue this case of record.

Stuart A. Culbertson
Atty for Plff.

April 22, 1940: Writ returned. Replevied as within commanded April 11, 1940, at 3:30 O'clock p.m., all of the within described goods and chattels and summoned James C. Chain the within-named defendant By handing to him personally at the Talon Office, Pine Street, City of Meadville, Crawford County, Pennsylvania, April 11, 1940, at 3:30 O'clock p.m. a true and attested copy of the within writ and making contents of same known to him. And on April 17, 1940 goods and chattels so replevied were delivered to the plaintiff. So answers, Harry B. Smith, Sheriff.

Paul D. Patton
3-8-45 P.D.S.

107

William G. Haase
vs
A. B. Patterson
Bernice A. Patterson
and Roy S. Peters.
Entered April 12, 1940
#
Pro. Slayton (Depts. fee) 2.25

Of No. 393 February Term, 1935 D.&B.
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of One thousand fifty ($1050.00) Dollars, being the amount of debt, with interest from October 23, 1939 and costs now due on the original judgment; with all the waivers and condition contained in the original judgment note.

Debt # 1050.00
Interest from Oct. 23, 1939

B. pages 166 & 136; 101. Judgment
Paul D. Slayton, Pro.

July 11-1940. Writing filed wherein plaintiff releases from the lien of this judgment the following to pieces of land situate in the Boro of Saegertown agjoyd Co. Penna. to wit as follows

Beginning at an iron post at the west line of main street it being the south east corner of the lot here by conveyed; thence south seventy three (73) degrees west along the land of Mr. Master formerly A. Bruce Patterson and Bernice A. Patterson his wife forty nine feet (49) and eight to an elm post; thence north fifty seven (57) degrees fifty five (55) minutes east along land of A. Bruce Patterson and Bernice A. Patterson his wife, one hundred sixty (160) feet to an iron post; thence north seventy three (73) degrees east along other land of A. Bruce Patterson and Bernice A. Patterson his wife, one hundred fifty (150) feet to an iron post in the west line of main street; thence south nineteen (19) degrees thirty (30) minutes east along the west line of main street, one hundred twenty (120) feet to an iron post, the place of the beginning.

Also all that other piece or parcel of land situate in the Boro of Saegertown Crawford Co. Penna. bounded and described as follows, to-wit: Beginning at an iron post, it being the south west corner of the above described land; thence north seventy three (73) degrees west along land of Mr. Masters formerly A. Bruce Patterson and Bernice A. Patterson his wife forty five feet (6) inches to an elm post; thence north fifty one (51) degrees fifty three (53) minutes west one hundred forty seven (147) feet and six (6) inches to an iron post; thence north (73) degrees east along land of the said A. Bruce Patterson and Bernice A. Patterson (his wife) two hundred (200) feet to an iron post; thence south (57) degrees fifty five (55) minutes east, along the above described land one hundred sixty five (165) feet to an iron post, the place of the beginning.

March 8 1945
Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Paul D. Patton atty for Plaintiff

Witness: Paul D. Slayton, Pro.
Also see Satisfaction Piece filed.

Stuart A Culbertson	Louise Knierman Administratrix of the estate of Paul Knierman dec't for the benefit of Gertrude Knierman, Betty Knierman, Kathrine Knierman, Harriet Knierman, Dorothy Knierman, Paulink Knierman, Marjory Knierman Gladys Knierman and Fredderick Knierman	Summons in Trespass Returnable to first Monday of May, 1940.
108	vs.	
Paul E Thomas	Bessemer and Lake Erie Railroad Company	And now, April 20, 1940, Paul Thomas, Esq., appears for the defendant, waives the issuing of Summons and accepts service thereof, with the same force and effect as if Summons had been duly and regularly issued, and served by the Sheriff of Crawford County. (See praecipe)
Entered April 12, 1940		
✓ Tax Leptry 5/15/40 Paid	4.00	
Shff Smith	---	
✓ Pro. disc. 5/15/40 Pd.	4.00	
Atty.	3.00	

May 6, 1940, Petition of Administratrix for approval of settlement, filed in open Court.

And now, May 6, 1940, upon presentation of the within petition and due consideration of the same, the prayer of the petitioner is granted, and leave is granted to the parties to make settlement of the case upon the terms set forth in the petition, and upon the consummation of said settlement, the plaintiff is authorized to discontinue the action of record. (See petition filed)

Per Curiam

And now May 9, 1940 the case is settled and discontinued of record.

Ingalls & Ingalls
Attorneys for Plaintiff

MAY TERM, 1940

L. A. Bolard
109

Anna B. Winschel
vs.
Charles E. Winschel
Issued April 12, 1940

Subpoena in Divorce
April 12, 1940 Subpoena awarded returnable to second Monday of May 1940
Per Curiam,
Q Clare Kent P.J.

Tax writ (paid) $ 3.00
Shff. Smith (paid) 6.90
J. Perry Eckels, Master 25.00
Bro. Ford Co. 12-14-40 Pd. 8.10
Atty. 3.00

Subpoena returned: (a) Served the within Subpoena in Divorce upon Charles E. Winschel, Respondent, by deputizing the Sheriff of Erie County Pa., as per his return hereto attached. So answers Harry B. Smith, Sheriff
(b) Frank J. Woldmer, Deputy Sheriff makes affidavit that on the 17th day of April 1940, at 9:15 P.M. he served the within named Charles E. Winschel, respondent, by handing to him personally, at his place of employment, Greyhound Bus Station, North Park Row, Erie, Pa., a true and attested copy of the attached Subpoena in Divorce, and made the contents thereof known to him. (See affidavit attached to Subpoena)

And now, December 13, 1940 J. Perry Eckels, Esquire, is hereby appointed master in the herein stated case, Per Curiam.

Jan. 22, 1941, Testimony and Report of Master filed.
On Argt. List for Feby. Term, 1941, No. 20.

March 3, 1941, After due consideration a divorce is decreed as prayed for and the respondent, Charles E. Winschel, is ordered to pay the costs of this proceeding.

Decree — Per Curiam.

And now, to wit, March 3 - A.D. 1941 this cause came on to be heard on libel subpoena, subsequent proceedings, and evidence thereto duly taken and filed of record. And it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed. That the said Anna B. Winschel the libellant and the said Charles E. Winschel the respondent and that thereupon all & every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease, and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married

Per Curiam

4-13, 1940, Recd. $35.00 costs.
P.B.S.

1-22-1941 Returned
costs.
J. Perry Eckels
Master.

2-4-1941 Rec'd from
J. Bolard on account $1.90
J.P.E. Master

McDonald & Krafft 110	Beulah E. Peterson vs. Glenn L. Peterson Issued April 12, 1940 Tax & writ (paid) $3.00 Stiff Smith --- Const. McCutchen (attys) 70	Subpoena in Divorce And now, April 12, 1940, Subpoena in Divorce is ordered to be issued, returnable to Second Monday of May next. Per Curiam, O. Clare Kent, P.J. Subpoena returned: W.G. McCutchen Constable, makes affidavit: "That he did serve the within Subpoena on the within named Respondent, Glenn L. Peterson, on Tuesday, April 23, 1940, at 12:10 o'clock P.M., at a Garage on East Walnut Street, Titusville, Crawford County, Pa., by reading the same to him and handing him a true and attested copy of the same" (See affidavit on Subpoena in Divo

McDonald & Krafft
111

Iona M. Wilson
vs.
Ralph B. Wilson
Issued April 12, 1940

Tax & writ Paid	$3.00
Shff Smith	---
Const. McCutcheon (attys pd)	1.10

Subpoena in Divorce

And now, April 12, 1940, upon presentation of the within Libel, a Subpoena in Divorce is ordered to be issued, returnable to Second Monday of May next.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: W. B. McCutchen, Constable, makes affidavit: "That he did Serve the within Subpoena on the within named Respondent, Ralph B. Wilson, on Tuesday, April 16, 1940, at 11:30 o'clock A.M. at his home in Gresham, Crawford County, Pa., by reading the same to him, and handing him a true and attested copy of the same." (See affidavit on Subpoena in Divorce)

112

Commonwealth of Pennsylvania, ex relatione Viola Murphy, wife,

vs.

Robert L. Murphy an alleged inebriate

Entered April 15, 1940

Pro. Clayton Paid $3.00
Stff. Smith

April 15, 1940, Petition of Viola Murphy, for commitment of her husband Robert L. Murphy as an alleged inebriate, with exhibits A.B.C.&D. annexed filed And now, to wit, April 15, 1940 upon the within petition and certificates, let warrant issue to bring the alleged inebriate before us for a hearing, on the 16th day of April, 1940. Per Curiam.

Same day, Warrant issued.

And now April 15, 1940, upon consideration of the within petition, the inebriates waiver of hearing and the exhibits and certificates thereto attached, and after hearing duly held as required by law, the Court is satisfied that Robert L. Murphy is an inebriate, and a proper subject for detention, care, and treatment in a hospital or institution for inebriates or for mental diseases. It is therefore ordered, adjudged and decreed that the said Robert L. Murphy is an inebriate, and that he be, and hereby is committed to the Warren State Hospital, there to remain for one year, unless sooner discharged as provided by law.

Per Curiam,
O. Clare Kent, P.J.

Same day, Commitment issued; also certified copy of petition orders and exhibits.

Warrant returned: Now April 16, 1940, as within I am commanded, I have the body of Robert L. Murphy in my custody. So answers Harry B. Smith, Sheriff.

Commitment returned: Now, April 16, 1940, As within I am commanded I have taken the body of Robert L. Murphy to the State Hospital at North Warren, Pennsylvania, having been committed to the above Institution, as an alleged Inebriate.

So answers Harry B. Smith, Sheriff.

Charles B. Stegner

113

Titusville Building & Loan Association of Titusville, Pa.,
vs.
Alma C. Carlson and Hjalmar F. Carlson
Issued April 15, 1940

Pro. Slayton 4/18/40 Pd. 2.25
Shff. Smith ---
Pro. S. since 4/18/40 Pd. 2.00
Atty 3.00
Atty Stegner on orig 3.00

Of No. 380 February Term, 1935, D.B.
Scire Facias to revive and continue the lien of the above judgment Returnable to first Monday of May next.
"6a." pp. 62 & 49.
April 16, 1940 writing filed whereby it is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned.

And that a judgment be entered thereon, in favor of the plaintiff and against the defendants for the sum of One hundred four and 91/100 Dollars being the amount of debt, interest to February 18, 1935, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note

Debt $ 104.91
Interest from Feb. 18, 1935
Judgment
Paul D. Slayton, Prothy.

"6a." pages 62 & 49.

And now to wit, September 28, A.D. 1940. this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence thereon duly taken and filed of record, and it appearing to the Court that the cause set forth in said libel are true, it is by the Court ordered, adjudged & decreed that the said Elizabeth D. Swart be divorced & forever separate from the bonds of matrimony heretofore contracted between her the said Elizabeth D. Swart the libellant, and the said Charles D. Swart the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said resp.

4-17-, 1944, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.
Charles B. Stegner
Atty for Plff.
Witness: Paul D. Slayton, Pro.

Walter J. McClintock

114

Petition of County Commissioners of Crawford County for approval of private sale of 50 acres in Greenwood Tp. to Martha Westcott of Erie Pa.; assessed in the name of A. J. Westcott and sold to said Comrs at Treas. Sale for taxes on first Mon. of Aug 1934

Entered April 18, 1940

Pro. Slayton	5.00
Linesville Herald	11.38

Preliminary Order.

Now, April 18, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of May, 1940, at 9:30 A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford.

Per Curiam,
O. Clare Kent, PJ

(See petition.)

May 6, 1940, Proof of publication of notice filed.

And now, May 6, 1940, at o'clock P.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication had been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make the delivery to the purchaser Mrs. Martha Westcott, of Erie Erie County, Penna, a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

Per Curiam,
O. Clare Kent,
President Judge.

(See paper filed)

Walter J. McClintock

115

Petition of County Commissioners of Crawford County for approval of private sale to Emily Farwacki and Frank Farwacki, her husband, of Pittsburgh Pa. of two parcels of land in East Mead Tp. which had been assessed in the name of John Verian, a/k/a John Varian and sold to said Comrs. at Treas. sale for taxes in 1932 & 1933

Entered April 18, 1940

Pro. Slayton	$5.00
Linesville Herald	14.50

Preliminary Order.

Now, April 18, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of May, 1940, at 9:30 o'clock A. M., or as soon thereafter as the attention of the Court may be had for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford.

Per Curiam,
O. Clare Kent, P.J.

(See petition)

May 6, 1940, Proof of publication of notice filed.

And now, May 6, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchasers, Emily Farwacki and Frank Farwacki, her husband, of Pittsburgh, Pennsylvania, a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

Per Curiam,
O. Clare Kent,
President Judge.

(See paper filed)

Walter J. McClintock

116

Petition of County Commissioners of Crawford County for approval of private sale to Kenneth E. Muir of RD 2 Titusville, Pa., of 30 acres in Rome Tp which had been assessed in name of Emma Jones Estate, and sold to said Comrs. at Treasurers sale for taxes on first Monday of Aug. 1933.
Entered April 18, 1940

	#
Pro. Clayton	5.00
Linesville Herald	12.00

(See paper filed)

Preliminary Order

Now, April 18, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of May, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford.

Per Curiam,
O. Clare Kent, PJ

(See petition)

May 6, 1940, Proof of publication of notice filed.

And now, May 6th, 1940, at 9:30 o'clock A.M, the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the said Commissioners are hereby ordered to make and deliver to the purchaser, Kenneth E. Muir, of Titusville, R.D. #2, a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

Per Curiam,
O. Clare Kent,
President Judge.

Charles B Stegner

117

Mrs. J. A. Metcalf, now use of Lena G. McFadden

vs

Emma Smith

Entered April 18, 1940

Pro. Slayton (paid)	$2.25
Atty	3.00
Atty Stegner on orig.	3.00
Pff. on Orig	2.75

Of No. 402 February Term, 1935, D. S. B.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Four hundred thirty-three & 53/100 Dollars, being the amount of debt interest to April 1, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $433.53
Int from April 1, 1940.
Judgment
Paul D. Slayton, Pro.

Sm page 157

Charles B. Stegner 118	Mrs. J. A. Metcalf, now use of Lena G. McFadden vs. Emma Smith Entered April 18, 1940 Pro. Slayton (paid) 2.25 Atty 3.00 Atty Stegner on orig. 3.00 Plff. on Orig. 2.75	Of No. 403 February Term 1935 Amicable Scire Facias sur Judgm It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant for the sum of Six hundred one 42/100 Dollars, being the amount of debt, interest to April 1, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt $ 601.42 Int. from April 1, 1940. Sm. page 157. Judgment Paul D. Slayton, Pro

Charles B. Stegner
Army Vehicle
4/24/40 P.D.S. Pro.

119

Herbert E. Varnum,
4/24/40. S.D.S.
Thomas J. Kiebort

Harrison Construction Company, Pittsburgh, Pennsylvania
vs.
Joseph W. Gray, City Controller of the City of Titusville, Pa.
Issued April 18, 1940

Pro. Slayton pd. 7/19/40 $5.00
Pro. Slayton since 5.00

Alternative Mandamus
April 18, 1940 Petition presented to Hon. O. Clare Kent, P.J., and filed.
And now, April 18, 1940, Let Alternative writ issue, Returnable May 6, 1940, at 10 o'clock A.M.
Per Curiam,
O. Clare Kent,
President Judge.

And now, May 6, 1940, time for deft to file answer to petition of plaintiff is extended seven days to May 13, 1940
(See paper filed) Per Curiam

May 9, 1940, affidavit of service of alternative Mandamus upon respondent filed.

And now, May 13, 1940 On motion in open Court, a rule is hereby granted upon plaintiff to show cause why the alternative writ of Mandamus heretofore issued should not be quashed; returnable sec. leg. All proceedings stayed pending disposition of the rule
(See paper filed) Per Curiam.

May 23, 1940. Acceptance of service of motion to quash writ filed.

On Arg. List for May Tr. 1940, "Improperly on list; contd.

And Now, May 27, 1940 Counsel for Defts agreeing, Plff is hereby granted 15 days additional time in which to answer Defts. rule to show cause why the writ of Alternative Mandamus should not be quashed. Per Cur. (See paper filed)

* July 1, 1940, Amended petition for writ of Alternative Mandamus filed, by leave of Court.

July 1, 1940. Consent to extension of time for filing answer to Defts. rule to show cause filed.

Aug. 6, 1940, Defts return to writ of alternative mandamus filed. Service accepted by Plffs Attys.

Aug. 27, 1940. Demurrer to the Defendants Return to writ of Alternative Mandamus, filed

On Arg. List for Sept Term, 1940 No. 14 Sept. 24, 1940, Argued.

Order: Now, November 20, 1940, the demurrer by plaintiff to defendants answer is overruled, and the writ of Alternative Mandamus issued April 18, 1940, is discharged. Exception is noted and sealed for petitioner.
(See opinion of Court filed.) Per Curiam.

Nov. 25, 1940, Petition for re-argument filed;

Order: Now, Nov. 25, 1940 a re-argument is allowed, same to be had during the week of Nov. 25, 1940. Per Curiam,

Jan. 22, 1941, Opinion of Court sur Demurrer to return to writ of Alternative Mandamus filed, concluding as follows:—

And now, July 1, 1940, leave to file Amended Petition is hereby granted (See paper filed) Per Curiam

Continued on page 634.

120

Ausro Fish
vs
Friedhelm Purucker
and Paul Purucker
Entered April 20, 1940
Pro Slayton 4/25/40 Pd. 2.25

Of No. 391 February Term, 1935
Amicable Scire Facias sur Judgmen
It is agreed That The Prothonotar
of said Court enter an Amicab
Scire upon the above judgmen
with the same effect as if
a Scire Facias to revive the sam
had been regularly issued, serv
personally on the defendant
by the Sheriff of said County,
and duly so returned; and th
a judgment be entered thereon
favor of the plaintiff and agai
the defendants for the sum of Two hundred
fifty Dollars, being the amount of debt, in
terest to 19, and costs now due on th
original judgment; with all the waivers an
conditions contained in the original judg-
ment note.

Debt $250.00
Int. from April 22, 1939.
Judgment.
Paul D. Slayton, Pro

P. page 136

May 27, 1940: Postponement of Lien of Judgment filed wherein plaintiff agrees that lien of this judgment shall follow and be subsequent to a certain mortgage given by Paul Purucker to Mary E. Huber dated May 13, 1940, to secure payment of eight hundred (800.00) Dollars on the following property: All that certain parcel of land situate in Rome Township, Crawford County, Pa., being part of a tract designated on maps of lands of Holland Land Co. by number 45, and bounded as follows: Commencing at northeast corner of tract, thence south by line of tract No. 44 west one hundred sixty (160) perches to a post; thence south one hundred six (106) perches to a post; thence east one hundred-sixty (160) perches to a hemlock, thence one hundred six (106) perches to place of beginning. (See papers filed

May 26", 1941, Received satisfaction in full of the above judgment, debt, interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Ausro Fish
Witness: Paul D. Slayton

121

Venire for the first and second Mondays of June, 1940, being an adjourned Court for the trial of Civil Causes.
Entered April 22, 1940

Pro. Slayton 2.50

Order of Court.

Kent, P.J.

It appearing that the civil trial list docket is becoming more or less congested, and being of the opinion that the situation would be relieved by an extra or special session of Court for the trial of civil cases, we enter the following Order.

Now, April 22, 1940, it is hereby ordered that an adjourned Special session of the Court of Common Pleas of Crawford County, Pennsylvania, for the trial of civil cases, be convened on the first and second Mondays of June, 1940, viz, June 3d and June 10, 1940, and the Prothonotary is hereby ordered and directed to issue a venire for sixty (60) duly qualified persons to attend and serve as traverse jurors at said session of court and to make any and all necessary and required advertisements and publications of lists of cases as required by law and rules of Court. The said trial list is to be made up from continued cases marked remanet, cases on the printed Spring list remaining untried as well as additional cases upon the watch-book, to the [total] number of thirty (30) for trial at this session; said trial list to be published in two newspapers of the County of Crawford once a week for two successive weeks.

Oblare Kent,
President Judge.

May 8, 1940, Venire returned, with panel of jurors drawn and summoned, attached.

Stuart A Culbertson	Mr and Mrs Kosan also known as Louis Kosan, and Helen Kosan vs Mrs James Jeffers and James Jeffers Entered April 23, 1940	Of No 395 February Term, 1935 Amicable Scire Facias sur Judgment
122	Pro Slayton (pd by ptf) 2.25 Atty 3.00	

It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned; and that judgment be entered thereon in favor of the plaintiffs and against the defendants, for the sum of Two Hundred thirty-four and 46/ Dollars, being the amount of debt, interest April 23, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $234.46
Int. from April 23, 1940

J. page 60 Judgment
Paul D. Slayton, Pro

May 4, 1940. Received Satisfaction in full of the above judgment. Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Stuart A. Culbertson
Attorney for Mr and Mrs Kosan

Attest:
Paul D. Slayton, Pro.

Paul E. Thomas

123

Crawford County Trust Company
vs
Florence Smearline Green
Entered April 24, 1940

Prp. Slayton (paid) $ 2.25
Atty 3.00

Of No. 133 May Term, 1934. D.S.B.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Six Thousand Nine Hundred Twenty-five and 42/100 Dollars, being the amount of the debt, interest and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note

Debt $ 6925.42
Int. from Mar. 1, 1940.

G page 86

Judgment
Paul D. Slayton, Prp

1/3/46 Rec'd of Pratty. Six (46) dollars, debet vs. Paul E. Thomas atty.

Nov. 13 /, 1946

Received satisfaction in full of the above Judgement, Debt Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Crawford County Trust Co.
By C. Wells Attorney in fact

Witness:
Paul D. Slayton

Walter J McClintock 124	Petition of County Commissioners of Crawford County for approval of private sale to Paul Scouten of Sparta Township of 60 acres of land in Sparta Tp. which had been assessed in name of Smith Eastman, and sold to said Comrs, at Treasurer's sale for taxes on 1st Mon. of Aug 1934 Entered April 24, 1940 Pro Slayton # 5.00	Preliminary Order Now, April 23, 1940, upon presenta and consideration of the within petition, the Court fixes the second Monday of May, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition, Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. Per Curiam, (See petition) O Clare Kent, P.J. And now, May 13, 1940, at 9:30 o' clock A. M, the time fixed for a hearing on the above petition appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms the County Commissioners are hereby ordered to make and deliver to the purchaser, Paul Scouten, of Spartansburg, Pa., a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, (See paper filed) O Clare Kent, P.J.

MAY TERM, 1940

ul E. Thomas 125 enneth W. Rice	Alton J. Straw vs Paul R. Jordan Entered April 25, 1940 Tax & entry (paid) 1.50 Costs ord. Trans. (pd) 6.65	Appeal by Defts. from Judgment of Dominick Lemmi, Alderman. April 26, 1940, Acceptance of notice of filing appeal, by Plffs. Atty. filed.

Kenneth W. Rice 126 Paul E. Thomas	Paul R. Jordan vs Alton J. Straw Entered April 25, 1940 Jax Sentry (paid) $ 1.50 Costs on Rans. 6.25	Appeal by Plaintiff from Judgment of Dominick Lemme, Alderman. April 26, 1940, Acceptance of notice of filing appeal by Att. for appellee, filed.

MAY TERM, 1940

J. A. Bolard 127 Herbert A. Mook	Guy O. Mickle, assignee of Mrs. Jennie Mickle vs R. L. Holcomb, George W. Watson, Earl Henry and Glenn Reed Issued April 25, 1940 $ Tax & writ (Atty fee) 2.00 Shff. Smith (Paid) 12.40 Pro Slagson paid 1-17-40 21.75 Atty 3.00	Summons in Assumpsit, Returnable to next term. April 25, 1940 Statement of claim filed. 3 copies certified. May 9, 1940. Herbert A. Mook, Esq. appears for the defendants. (See paper filed. May 9, 1940. Affidavit of defense filed. And now, May 17, 1940. On motion of Plffs. Atty, rule to show cause granted why judgment should not be entered for want of a sufficient affidavit of defense. (See paper filed) Per Curiam. Same day Service of rule accepted by Defts. Atty. Writ returned: Served the within summons together with copy of statement of claim personally on R. L. Holcomb, at his home in Richmond Tp. on April 26, 1940, at 4:20 o'clock P.M., by handing to him a true and attested copy of the within summons & copy of statement of claim, and making contents of same known to him. Also, served the within summons together with copy of statement of claim personally on Earl Henry, at his home in Rockdale Tp., on April 26, 1940, at 3:20 oclock P.M. by handing to him a true and attested copy of the within summons and of statement of claim, and making contents of same known to him. Also, served the within summons, together with copy of statement of claim, on George W Watson by handing to his wife, Ettie Reed, an adult member of his family, at their residence in Rockdale Tp., on April 26, 1940, a true and attested copy of the within summons, together with copy of statement of claim, and making contents of same known to her. Nihil habet as to Glenn Reed, one of the within named defendants. So answers Harry B. Smith, Sheriff. On Arg. List for Nov. Term, 1940, No 7 Nov. 26, 1940. Continued by agreement of counsel. Per Curiam Jan 13-1941. This judgment is entered and case discontinued. J a Bolard atty for Plff

Raymond L. Miller 128	Wallace Washington Loper vs. Esther Swift Loper Divorced April 25, 1940 Tax & writ (paid) $3.00 Shff. Smith (paid) 1.40	Subpoena in Divorce And now, April 25, 1940, Subpoena awarded, returnable to the first Monday of June, 1940. Per Curiam, O. Clare Kent, P.J. June 14, 1940 Subpoena in Divorce returned by order of Attorney for libellant. No service made on respondent. So answers Harry L. Smith, Sheriff.

Raymond L. Miller
129

Elizabeth May Roche
vs.
H. Seymour Roche
Issued April 25, 1940

Tax tarif (paid) $3.00
A. J. Ewing, on Sub
Leland J. Culbertson, Master 25.00
Pro. for Co. 9/4/40, Pd. 8.10
Atty. 3.00

Subpoena in Divorce and for the custody of "the following four children born of this marriage now living with the libellant, to wit: Bettie Jane Roche sixteen years of age; Helen M. Roche thirteen years of age; Seymour J. Roche eight years of age, and Donald Roche four years of age"

And now, April 25, 1940, the within petition presented and Subpoena awarded, returnable to the first Monday of June, 1940.

Per Curiam,
O. Blare Kent, P.J.

Subpoena returned: A. J. Ewing [Constable] makes affy. That he served the within Subpoena in Divorce by handing a true, and attested copy thereof to H. Seymour Roche personally, at the Anna Hamilton Farm, R.F.D. No. 3, Meadville, Pa., at 6:10 P.M., Friday, April 26, 1940, and making the contents known to him. (See Subpoena)

And now, September 3, 1940, Leland J. Culbertson, Esq., is appointed Master in Divorce to take testimony and make report thereon to the Court.

Per Curiam

Sept. 17, 1940, Testimony and Report of Master filed.
On Argt. List for Nov. Term, 1940, No. 30.

Dec. 2, 1940, After due consideration a divorce is decreed as prayed for, the respondent, H. Seymour Roche, is ordered to pay the cost of this proceeding and custody of minor children, Bettie Jane, Helen M., Seymour J., and Donald Roche, is awarded to libellant, Elizabeth May Roche,

Per Curiam,

—Decree.—

And now to wit: December 2. A.D. 1940 this cause came on to be heard on libel subpoena subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered, adjudged and decreed.

That the said Elizabeth May Roche be divorced and forever seperated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Elizabeth May Roche the libellant and the said H. Seymour Roche the respondent, and that they and for all and every the duties rights & claims accruing to either the said libellant or the said respondent at any time hereto fore in pursuance of said marriage shall cease and determine; And the said libellant and said respondent shall be at liberty to marry again in like manner as if they had never been married.

It is further ordered and decreed that the custody of minor children, Bettie Jane, Helen M., Seymour J.

(Cont. in margin)

Paid print & f.f. 3, 1940, Recd. $35.00 costs. O. D. B.

Rec'd $1.90 refund from Slaytor Roche, Atty 12-27-40

Donald Roche is awarded to libellant Elizabeth May Roche.

Per Curiam,

Herbert A. Mook
130.

Pelagia Harahus
vs
Alex Kulik and
Mary Kulik
Issued April 29, 1940

Pro. Slayton (paid)	#	2.25
Shff. Smith (paid)		4.30
Shff. Allegheny Co (paid)		5.40
Shff. Erie County (paid)		8.50
Pro. Slayton 1/20/41 paid		2.50
Atty		3.00
Original Costs:		
~~Atty~~ Mook		1.75

Of No. 287 February Term, 1935 D.D.
Scire Facias sur Judgment in the above entitled case, with also the waivers and conditions contained in the original judgment. Returnable to first Monday of June, 1940. "K" page 80.
Writ returned:—
Served the within Sci. Fa. to revive Judgment, upon Alex Kulik by deputizing the Sheriff of Allegheny County, Pa. as per his return hereto attached.
Also served the within Sci. Fa. to Revive Judgment, upon Mary Kulik by deputizing the Sheriff of Erie County, Pa. as per his return hereto attached.
So answers. Harry B. Smith Sheriff.
And now, January 8, 1941, upon praecipe of plaintiff's attorney, judgment is entered in favor of the plaintiff and against the defendants for want of an appearance and for want of an affidavit of defense, in the sum of Nine hundred eleven and 26/100 Dollars ($911.26), with costs.

Debt	$911.26
Int. from Jan. 8, 1941	

Judgment
Paul D. Slayton, Pro

K. page 80.

✓
Jany. 20", 1941. Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Herbert A. Mook, Atty
for Plaintiff.

Berry Eckels

131

Department of Public Assistance of the Commonwealth of Pennsylvania
vs.
Donna Edmiston Executrix of the estate of A.J. Edmiston, deceased
Entered April 30, 1940

✓ Pro. Slayton 6/10/40 Pd.	1.75
State tax	.50
✓ Pro. Slayton 10/9/40 Pd.	1.00
Atty	3.00
Sheriff King Paid	3.70

Summons in Assumpsit;
Returnable to the next term.
~~And now~~, "E" pages 55 & 56
And now, April 30, 1940, I hereby accept service of the summons in the above case as fully and effectively as if the same were duly issued and served personally on me by the Sheriff of Crawford County, Penna., and due and legal return made thereof, hereby waiving all errors (Sgd) Donna Edmiston,
Executrix of the estate of A.J. Edmiston.
(See praecipe)
Sept. 5, 1940, Confession of judgment filed, to wit:

Know all men by these presents:

That I, Donna Edmiston, Executrix of the estate of A.J. Edmiston, deceased, the defendant above named, do hereby confess judgment in the above entitled case, in favor of the plaintiff and against the defendant, in the sum of Six Hundred Forty four and 00/100 Dollars ($644.00), with costs of suit; and authorize the Prothonotary of the Court of Common Pleas of Crawford County, Pennsylvania, to enter said judgment of record, and release all errors, hereby waiving Stay of execution and inquisition, and extention upon any levy on real estate, and agree to condemnation of the same, and further agree that the said real estate may be sold on writ of Fieri Facias.

In witness whereof, I have hereunto set my hand and seal, this day of September, 1940.

Donna Edmiston (Seal)
(Sgd) Executrix of the estate of
A.J. Edmiston, deceased

(See paper filed)

Debt $644.00
Interest from Sept. 5, 1940
E. pp. 55 & 56 Judgment
Paul D. Slayton, Pro.

Sept. 3, 1941, Writing filed wherein plaintiff releases from the lien of this judgment the following described property in Troy Twp. as follows: Bounded on the North by the center of the public road leading from Hawthorn Corners to Hydetown; on the East by the center of the public road leading from the White School House to the Diamond; on the South by land of Frank Brown, and on the West by land of Henry Buxton, formerly Laurence Dempsey. Containing about 15 acres, more or less. (See paper filed.)

May 9, 1945, Sci. Fa. to No. 259 May Term, 1945.
Writ Returned:- Now, May 18, 1945, writ directed to be returned by J. Perry Eckels, Attorney for Plaintiff. So answers, Bert A. King, Sheriff

Peters & Prather 132	Petition of Evelyn L. Dempsey for the appointment of a Guardian for Margaret Obins of Vernon Township, as a person of weak mind. Entered May 2, 1940 Pro. Slayton & Al. 5.00	May 2, 1940. Petition filed "O" page 76. Preliminary Order. Now, April 27, 1940, upon presentation of the foregoing petition and due consideration thereof, it is hereby ordered that a hearing shall be had on said application, on the first Monday of June, 1940, at 9:30 o'clock A.M., and that ten days written notice thereof shall be given to the three nieces and one nephew resident of this county, and to the said Margaret Obins, as required by law. Per Curiam, (See petition) O. Clare Kent, P.J. May 2, 1940. Acceptance of service of notice of hearing by 3 Resident next of Kin, and affidavit of service of notice upon Mrs. Hazel Eckert, niece, filed. And now, June 3, 1940, after hearing this case, and after due consideration of the evidence produced, the Respondent, Margaret Obins, having appeared personally in Court, and it appearing to the Court from the evidence produced that the said Margaret Obins is capable of transacting business and is not a person of weak mind. Therefore, the petition praying for the appointment of Guardian, is hereby dismissed. Per Curiam, (See paper filed) O. Clare Kent, P.J.

11-20-1946
Deckam Andrews
attest: Paul D. Slayton
133

D. C. Sullivan & Co.
511 French St. Erie, Pa.
vs
Clarissa E. Graff Hill
Entered May 2, 1940

Pro. Slayton (Plff) Pd $2.25

Of No. 341 February Term, 1935 SB
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Seventy-nine and 87/100 Dollars being the amount of debt, interest and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $79.87
Interest from May 1, 1940

"H" page 89. Judgment
Paul D. Slayton, Pro

Nov. 20, 1946
Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Deckam Andrews
Attorney for Plaintiff.
Witness: Paul D. Slayton

George X. Simonetta
Stuart A. Gilbertson
134

Gennaro Rancci
vs.
City Coal & Supply Company and Louis Randall
Issued May 2, 1940

Tax & writ (Atty pd) $2.00
Shff. Smith (paid) 4.60
Pro. for Co. pd 6/10/40 1.00

Summons in Trespass;
Returnable to first Monday of June next.
Writ retd: Served the City Coal and Supply Co., one of the defts. on May 16, 1940, at 11:45 A.M. by handing to Franklin M. Miller, V. Prest. of said company, a true and attested copy ~~thereof~~ within summons and making contents of same known to him.
Also, served the within summons on Louis Randall, on same day at 11:46 A.M. in same manner.
So answers
Harry B. Smith, Sheriff

Now June 10, 1940 The above case has been settled and is hereby discontinued of Record.
George X. Simonetta
Stuart A. Gilbertson
attys for Plaintiffs

MAY TERM, 1940

Land J. Culbertson
135

Louis A. Roschi
vs.
Hannah P. Roschi
Issued May 4, 1940

Tax & writ (paid) # 3.00
Sheriff Smith (pd) 3.30
J. E. Henretta, Master 25.00
Pro. for Co. 9/4/40. pd. 8.10
atty. 3.00
Writ Returned 9.19.40 Eff.

Subpoena in Divorce
And now, May 3d, 1940, Subpoena awarded, Returnable to first Monday of June 1940.
Per Curiam,
O. Clare Kent, P. J.

Subpoena retd: Served the within Subpoena in Divorce on the Respondent personally on the 16th day of May, 1940 by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above
So answers Harry B. Smith, Sheriff.

May 3, 1940, Recd. # 35.00 costs.
O. D. B.

Sept 16th 1940
And my fees as master this date.
J. E. Henretta
Master.

And now, September 3, 1940, J. E. Henretta, Esq., is appointed Master as prayed for.
Per Curiam,

Sept. 16, 1940. Testimony and Report of Master filed.
On Argt. List for Sept. Term, 1940, No. 38.

Now Sept. 27, 1940 After due consideration a divorce is decreed as prayed for.
Per Curiam,

Decree And now, to-wit September 27, A.D. 1940 O. Clare Kent, P. J.
This cause came on to be heard on libel, subpoena subsequent proceedings, and evidence there in duly taken and filed of record, and it appearing to the Court that the cause set forth in said libel are true it is by the Court ordered adjuged and decreed That the said Louis A. Roschi be divorced and forever seperated from the nuptial ties and bonds of matrimony here to fore Contracted between him the said Louis A. Roschi, the libellant and the said Hanna P. Roschi the respondent and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time here to fore in pursuance of said marriage, shall cease and determine. And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married
Per Curiam.

136

V. A. Smith, aka
Vernon A. Smith
vs.
Maurice Stafford
Entered May 4, 1940

Pro. Slayton (Paid) 2.25

Of No. 320 November Term, 1934, Dsl.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued served personally on the deft by the Sheriff of said county, and duly so returned and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Five hundred one and 75/100 Dollars, being the amount of debt, interest to Feb. 1, 1940 and costs now due on the original judgment; with all the rights and conditions contained in the original judgment note. Dated May 4, 1940.

Debt $501.75
Int. from Feb. 1, 1940
St. page 23. Judgment
Paul D. Slayton, Pro.

Oct. 6, 1944, This judgment satisfied. (See paper filed.)

Arden D. Mook

137

Petition of Kostanty Golembiewski, alias Richard Gambeski and Geraldine M. Bell Gambeski his wife,

For change of their last name to Gamble

Entered May 6, 1940

Pro. Slayton 7/3/40. Pd. 5.00

Pro. S. 7/3/40. Pd. 1.00

April 23, 1940 Petition presented to Hon. O. Clare Kent P.J. and same filed in Prothonotary's Office on May 6, 1940.

And now April 23, 1940, upon presentation of the foregoing petition, a hearing is hereby set upon the same for the first day of July, 1940, at 10 o'clock A.M. Notice of this petition to be published in two newspapers of general circulation in Crawford County, Pennsylvania.

Per Curiam,
O. Clare Kent P.J.

July 1, 1940 Proofs of publication of notice filed.

Decree: And now, July 1, 1940, it appearing that a petition in the above entitled matter was duly filed and has remained on file in the Prothonotary's office of Crawford County for a period of not less than two (2) months, and that upon hearing of said petition on July 1, 1940, no person made any objections to the change of the name as prayed for, and that notices of the filing of said petition and the day set for a hearing thereon, was published in two (2) newspapers of general circulation in this County, and that proof of said publications was duly filed at the time of said hearing, now therefore, after hearing had, it is hereby ordered and decreed that the said Kostanty Golembiewski, alias Richard Gambeski, is hereby entitled to change his name to Richard Gamble, and from this day on shall be entitled to assess said name, and that his wife, Geraldine M. Bell Gambeski, shall have and be also entitled to use said name, and that the same shall apply to all children born of the marriage.

(See paper filed)

Per Curiam,
O. Clare Kent, P.J.

John H. Bozic

138
Paul E. Thomas

Vivian Henry a minor by Frank W. Henry and Ruth Henry, her parents and next friends, and Frank W. Henry and Ruth Henry in their own right,

vs.

Robert C. Straw

Entered May 6, 1940

Tax & entry (paid)	$2.00
Pro. Slayton (paid)	4.25
Atty	3.00

Summons in Trespass. Returnable to first Monday of June next

And now, May 6, 1940, Paul E. Thomas, Esq., appears for the defendant, waives the issuing of a summons, with the same force and effect as if summons had been issued and duly and regularly served by the Sheriff of Crawford County. (See praecipe)

May 6, 1940, Statement of claim filed. Service accepted by Depts. Atty.

May 6, 1940, Petition for order authorizing settlement of minor's claim filed in open Court. Service accepted by Depts. Atty.

Now, this 6th day of May, A.D. 1940, upon presentation and consideration of the above and foregoing petition it is ordered, adjudged and decreed that Frank W. Henry and Ruth Henry, parents of Vivian Henry, a minor child, be and they are hereby authorized to compromise and settle, for the sum of $750.00, the claim of said minor resulting from damages and personal injuries sustained by her at the time and in the manner set forth in said petition, and for the recovery of which an action has been brought at the number and term therein set forth, and upon payment of said sum by or for the account of the said defendant, Robert C. Straw, he the said Robert C. Straw, is released from any and all liability to the said minor, Vivian Henry for damages arising out of accident described in said petition, it is ordered adjudged and decreed that said sum of $750.00 be paid to the duly appointed guardian of said minor, to be hereafter appointed.

(See paper filed)

Per Curiam

And now, May 6, 1940, the above claim having been paid in full the above action is hereby settled and discontinued of record.

John H. Bozic
Attorney for Plaintiffs.

Walter J. McClintock

139

Petition of Commissioners of Crawford County

for

approval of private sale to William Labanowsky and Veronica Labanowsky of lot and buildings in Borough of Cambridge Springs, which had been assessed in name of C. E. Veith, and sold to said Comrs. at Treasurers sale for taxes on 1st Monday of Aug. 1934.

Entered May 6, 1940

Pro. Slayton 5.00

Preliminary Order

Now, May 6th, 1940, upon presentation and consideration of the within petition, the Court fixes the 27th day of May, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford.

(See petition) Per Curiam

May 27, 1940: Motion for Final Order authorizing sale of land filed. (See papers filed).

Order: And now, May 27, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition and that publication has been duly made according to law and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchasers, William Labanowski and Veronica Labanowski of Cambridge Springs, Penna., a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

Per Curiam.

Walter J. McClintock 140	Petition of Commissioners of Crawford County for approval of private sale to Roland Boyle and Lillian Boyle, of lot and building in Summit Tp. which had been assessed in name of John R. Brickler, and sold to said Comrs. at Treasurers sale for taxes on 1st Mon. Aug 1934 Entered May 6, 1940 Pro Slayton $5.00	Preliminary Order Now, May 6th, 1940, upon presentation and consideration of the within petition, the Court fix the 27th day of May, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. (See petition) Per Curiam May 27, 1940: Motion for Final Order authorizing sale of land and proof of publication filed. (See papers filed) Order: And now, May 27, 1940, at 9:30 O'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and the publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to it to terms the County Commissioners are hereby ordered to make and deliver to the purchasers, Roland Boyle and Lillian Boyle of Conneaut Lake, Pennsylvania, a Commissioners' deed for the proper conveyance of said land and to collect a purchase price therefore, and to pay all costs of this proceeding from said purchase price. Per Curiam.

orge J. Barko
F. B. Kiebort, Jr.
141

George Manolakos
vs.
Louise Manolakos
Issued May 6, 1940

Tax & writ 5/7/40. Pd.	$ 3.00
Stff. Smith (paid)	1.60
Stff. Smith, alias (paid)	1.60
Stff. Smith, proc (pd)	11.15
John Schuler, Master	25.00
Pro. for Co. 11-14-40. Pd.	10.00
Atty.	3.00
Pro. since 3-25-41, Pd.	1.50

Subpoena in Divorce
And now, May 6, 1940, Subpoena awarded; returnable to the first Monday of July, 1940.
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: July 1, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Staff.

July 3, 1940, alias Subpoena in Divorce issued, returnable to first Monday of August next

Alias Subpoena retd: Aug 5, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff.

Aug. 12, 1940: Order for Proclamation issued returnable to the first Monday of October next. (See precipe filed).

And now, Oct. 7, 1940 I--- have made proclamation in the above entitled case according to law, and caused the same to be published in the Titusville Herald, Titusville, Pa., a newspaper printed within my bailiwick, once a week for three successive weeks, prior to return day thereof, as per copy of said proclamation and proof publication hereto attached.
So answers Harry B. Smith, Sheriff.

And now, November 14, 1940, John Schuler, Esq., is hereby appointed Master in the above entitled divorce to take testimony and report thereon to the Court.
Per Curiam.

Nov. 23, 1940, Testimony and Report of Master filed.

On Arg. List for Nov. Term, 1940, No. 52.

And now, Feb. 17, 1941 on motion in open Court, the case is hereby referred back to the Master for the purpose of taking additional testimony and filing a supplemental report thereon. Per Curiam. (See paper filed.) Copy issued.

Mar. 14, 1941, Additional testimony and Masters Supplemental Report filed.

Now, March 14, 1941, after due consideration, a divorce is decreed as prayed for and the bigamous marriage annulled upon payment of costs of the proceedings by libellant, George Manolakos.
Per Curiam.

14, 1940, Recd $35.00 costs.
P. D. S.

23, 1940 Recd of Pro. ayton $25.00 masters fee.
John Schuler

Decree.

d now, to wit, March 14, 1941 Cause came on to be heard libel, proclamation and nony on the part of the libellant and the report of Master thereon, and it ring to the Court that charge contained in the l is sustained by evidence, to wit, that respondent had been fully married with John Gurousis, o at the time of the esentation of libel s still living nd had neverbeen ivorced from — spondent and further at the respondent th Committed wilful l Malicious desertion d absented herself from the habitation of the libellant with out reasonable cause for and ring the term of two Years & upwards, to wit, from april 5, 1932, to this date and there upon consideration r & it is ordered adjudged and decreed that the said supposed marriage contracted & celebrated between the said George Manolakos, the libellant, and the said Louise Manolakos the respondent, on the 13 day October, A.D. 1931 be and the same is hereby decreed and declared to be wholly null & void; and that there from all & every the dyties rights & claims accruing to either the said libellant or the said respondent anytime here to fore in pursuance of said supposed marriage, shall and do cease to determine; and the said George Manolakos, the libellant, shall be at liberty to marry again, in the manner as if he had never been married.
Per Curiam

Stuart A Culbertson 142	Home Owners Loan Corporation vs. Clarence Smith [a.k.a Clarence W. Smith] and Marian Smith [a.k.a. Marian F. Smith], his wife. Entered May 6, 1940 Tax & entry pd. 9/13/40 3.50 Atty 3.00	Amicable Action of Ejectment and confession of Judgment in Ejectment for premises situate at No. 1955 Liberty Street [Third Ward] Meadville, Penna., with an eight room dwelling house erected thereon, which premises were leased by the plaintiff to the defendants, by lease dated October 2nd, 1939. It is agreed that the above action be entered, as if a summons had been regularly issued out of said Court at the suit of the plaintiff against the defendants, on the certain lease hereto annexed, and had been duly served and so returned by the Sheriff; and that judgment be entered thereon for the plaintiff, without stay of execution or appeal, or writ of error, or objection or exception. This judgment in ejectment for said premises is entered upon the termination of said lease, by virtue of default in payment of rent according to the terms of said lease, whereby the same became in arrears and unpaid; that under the terms of said lease, said lease shall terminate upon expiration of the term thereof, without any further notice to either party, and notice to quit said premises was given by the plaintiff to the defendants on April 8, 1940. Sm. Pp. 121, 145, 157. Judgment. Paul D. Clayton, Pro. Hab. Fac. Poss. with clause of Fi. Fa. to No. 68 May T. 1940.

Charles B Stegner 143	J.A. Jacobson; Grace A Howard Adminis-trator of K. E Howard Est.; Elizabeth Ludwig Executor of estate of Geo. W. Ludwig, decd. d. b. a. Howard & Co. vs. J. E. Shambaugh Entered May 6, 1940 Pro. Slayton (paid) $2.25 Atty 3.00	Of No. 334 May Term, 1935 App. Doc. Amicable Scire Facias sur Judgment. It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned, and that a judgment be entered thereon in favor of the plaintiffs and against the defendant, for the sum of Fourteen Hundred Forty-five and 94/100 Dollars being the amount of debt, interest to May 7, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt $1445.94 Int. from May 7, 1940 "H." page 66. Judgment Paul D. Slayton, Pro.

144

Paul McMichael
R. #3, Connoquenessing Lake, Pa.
Vs
Winnifred M. Morian
& John J. Morian
Entered May 6, 1940

Pro. Slayton (paid) $2.25

Of No. 428 February Term, 1935, D.S.B.
Amicable Scire Facias sur Judgment

It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Four Hundred Seventy-three and 25/100 Dollars, being the amount of debt, interest and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $473.25
Int. from May 6, 1940
Judgment
Paul D. Slayton, Pro.

"M" Page 151

✓

May 7, 1942 Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Paul McMichael

Witness: Paul D. Slayton

Robert E. Varnum 145	Hildah A. Hollenbeck vs Raymond L. Hollenbeck Issued May 7, 1940 Tax & writ (paid) $3.00 Staff Smith	Subpoena in Divorce And now, May 7, 1940, the within petition presented and Subpoena awarded, returnable to the first Monday of July, 1940. Per Curiam O. Blare Kent, P.J.

L and A R McGrath Thomas & Kubort 146 Herbert A Mook Frank R Cuthbertson 5/15/40. P.D.$.	E J Fielding and Eleanore H. Fielding his wife, vs. Township of Rome, a municipal corporation. Issued May 8, 1940 Tax & writ (pd 7/19/40) $2.00 Shff Smith paid $0.50 Pro Clayton (7/19/40) 2.75 Atty 3.00	Summons in Trespass, Returnable to the first Monday of June, 1940 May 8, 1940, Statement of claim filed. June 5, 1940, Affidavit of defense in lieu of demurrer, filed. And now, June 10, 1940, On motion in open Court, leave granted plaintiffs to discontinue the above entitled case. Per Curiam (See paper filed)

Now June 10, 1940, by leave of Court this action is hereby discontinued of record.

L. Pat McGrath
Thomas & Kubort
Attys for Plaintiffs.

July 12, 1940: Writ returned. Served the Township of Rome, a municipal corporation, by handing personally on May 9, 1940, at 1:00 o'clock p.m. a true and attested copy of the within Summons, together with Copy of Statement of Claim, to James H. Paul, Secretary & Treasurer of the Township of Rome, by serving Mildred Paul, she being an adult member of the family, namely, his wife, at their residence in Rome Township, Crawford County, Pa., and making contents of same known to her. So answers, Harry B. Smith, Sheriff

and A.R. McGrath
Thomas & Kiebort

Emmett W Rice
1-16-46. P.D.$,

147
Robert A Mook
Donald Anderson
5/15/40. P.D.$,

8 April 8, 1942 Sur Rule
File With The Township
Rome, Defendant,
unc Pro Tunc As Of
ecember 1, 1939, The
tice Required By
Act of 1937, P.L.
47, And The Suit
led At No. 147 May
rm, 1940, Be Per-
tted To Stand And
oceed To Trial
inion filed.
Order
d now, April 8, 1942
is ordered that
aintiff's petition
r leave to file a
rmal written notice
said accident with
e Township of Rome,
unc pro tunc, and
at the suit entered
permitted to stand
d proceed to trial
dismissed and the
ule to show cause
anted thereon be
ischarged at the
st of petitioners.
xception noted and
ealed for plaintiff.
Per Curiam,
O. Clare Kent
President Judge
Continued on Page
485

Hugh McBride, a minor, by Harry V. McBride, his guardian, and Harry V. McBride and Elizabeth McBride, his wife, in their own right,
vs.
Township of Rome, a municipal corporation.
Issued May 8, 1940

Tax & writ Pd 7/10/40	$ 2.00
Sheff Smith, Paid	10.50
A. V. Caddaharo, Stenog.	21.20
Pro. up to appeal 6-29-42 Pd. 1-16-46	6.75
Postage to & from S.C. Paid	.72

Cost contd on page 316

Summons in Trespass,
Returnable to the first Monday of June, 1940
May 8, 1940, Statement of claim filed.
Now, June 3, 1940, On motion in open Court, rule granted upon plaintiffs to show cause why they should not file a more specific Statement of claim. Per Curiam
(See paper filed) Service accepted.
July 12, 1940: Writ returned: Served the Township of Rome, a municipal Corporation, by handing, personally, on May 9, 1940, at 1:01 o'clock P.M., a true and attested copy of the within Summons, together with Copy of Statement of Claim, to James H. Paul, Secretary and Treasurer of the Township of Rome, by serving Mildred Paul, she being an adult member of the family, namely, his wife, at their residence in Rome Township, Crawford County, Pa., and making contents of same known to her.
So answers, Harry B. Smith, Sheriff.
On Argt. List for Nov. Term, 1940, No. 22.
Nov. 25, 1940, By consent of counsel, rule is made absolute. Per Curiam.
Now, January 9, 1941, Petition of plaintiffs, by their attorneys, presented in open Court, and upon consideration thereof a rule is hereby granted to show cause why plaintiffs should not have leave of Court, to file with the Township of Rome, defendant, nunc pro tunc as of December 1, 1939 the notice required by the Act of 1937, P.L. 2547, and the suit filed at No. 147 May Term, 1940, be permitted to stand and proceed to trial; returnable sec. reg.
(See paper filed) Per Curiam
Same day, Service accepted by Defts. attorney.
Jan. 20, 1941 Answer to rule filed
On Argt. List for Feby. Term, 1941; No. 14; Feby 25, 1941 Continued.
Nov. 12, 1941, Testimony filed.
On Argt. List for Nov. Term, 1941, No. 14.
Nov. 25, 1941, Argued; plaintiff to file brief in ten days. Per Curiam.
(For entries of April 8, 1942 see margin of this page)
June 29, 1942 Certiorari on appeal by plff to the Supreme Court filed, returnable to 5th Mon. Nov. 1942
Numbered in S.C. 224 Jan. Term, 1942
June 30, 1942, Proof of service of notice of appeal filed.
May 24, 1943, Remittitur and copy of opinion of Parker, J., from Supreme Court filed. Opinion and order were filed in Supreme Court on May 10, 1943.

Continued on page 310

Stuart A Culbertson	Linesville State Bank, use of Mrs. Kathryn R. Akens, now use of Jeannette Terry, Administratrix of the estate of Kathryn R. Akens, deceased.	Of No. 652 February Term, 1940 Attachment Execution, Returnable to first Monday of June, 1940
148	vs.	To attach all and singular the goods and chattels, rights and credits, money and properties of the defendant, in whose hands the same may be, and especially in the hands of Ella B. Crain, agent of E. W. Stratton also known as Edgar Stratton, and summon her as garnishee.
	E. W. Stratton, also known as Edgar Stratton, defendant, and Ella B. Crain, Garnishee.	Writ returned 6/12/40 Attached as within commanded the goods, chattels moneys and credits and effects of the ~~Defendant~~ E. W. Stratton also known as Edgar Stratton in the hands of Ella B. Crain Garnishee on the 8 day of May 1940 @ 7.35 o'clock P.M. and declared in presence of Bailiffs witnesses of the neighborhood that the said goods moneys estate and effects were attached as the goods and effects of the defendant in the hands of the said Garnishee and at the same time summoned the said Ella B. Crain at her residence in Pine Township, Crawford County Pa. as Garnishee - by handing a true and attested Copy of the within writ to her personally: and making contents of the same known to her.
	Issued May 8, 1940	
	Tax & writ 8/29/40 $2.75 Shff Smith paid 6 9/10	Nihil Habet as to E. W. Stratton also known as Edgar Stratton defendant
		So answers Harry B. Smith Sheriff.

Kenneth W Rice 149 Joseph Thomas	First National Bank of Meadville, Pa. vs. Helen Randall, Executrix of the estate of John James Atkins, deceased Issued May 10, 1940 Tax & writ (paid) $ 2.25 Shff. Smith (paid) 6.50 Pro. Slayton Rd. 7/1/44 2.75 Atty 3.00	Summons in Assumpsit; Returnable to first Monday of June next. R. p. 133; A. p. 83 June 3, 1940, F. Joseph Thomas, Esq. appears for deft (See paper filed) Writ returned: Served the within summons personally on Helen Randall Executrix of the estate of John James Atkins, deceased, at her residence in Woodcock Township, Crawford County, Pa., on May 22, 1940, at 2:00 P. M., by handing to her a true and attested copy thereof, and making contents of same known to her So answers Harry B. Smith, Sheriff. Aug. 13, 1940. Statement of claim filed. Service accepted. And now, Dec 20, 1940, on motion of plaintiffs attorney, judgment is entered in favor of the plaintiff, and against the defendant, for want of defense, and liquidated at the sum of Eighty-two and 31/100 Dollars, with costs of suit (See paper filed) Debt $ 82.31 Int. from Dec 23, 1940 Judgment Paul D. Slayton, Pro. R. p. 133; A. p. 83

February 1, 1944 Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.

Kenneth W Rice

Atty for Plaintiff

Witness: Paul D. Slayton, Pro.

Kenneth W Rice 150 June 6, 1940 this case is hereby settled and discontinued of record. Kenneth W Rice Attorney for American Automobile Ins. Co. & Bruce T. Brickley.	American Automobile Insurance Co. and Bruce T. Brickley vs. Anna Hamilton et al Leona Hamilton Issued May 10, 1940 Tax & writ (paid) $2.00 Shff. Smith (paid) $4.70 Pro. Jot Co. paid 6-6-40 $1.00	Summons in Trespass. Returnable to the first Monday of June next Writ returned. Served the within summons on Anna Hamilton & handing to Leona Hamilton her daughter an adult member of her family at the res. of A. Mead & on May 15, 1940 at 2.55 P.M. a true and attested copy thereof and made contents of same known to her. And at same time and place served the within summons personally on Leona Hamilton in the same manner. So answers Harry B Smith, Shff.

MAY TERM, 1940

151 Kenneth W. Rice	Mell George, Receiver for Powell Dairy Company vs. Gordon Smock, doing business as "Burchs" Entered May 10, 1940 Tax & entry (paid) $ 1.50 Costs on Trans. (paid) 7.95	Appeal by Defts. from Judgment of S. G. MacFarnaghan, Alderman. May 13, 1940. Proof of notice of filing appeal filed.

Raymond C. Miller Sec'y Statement of Claim 152 Kenneth W. Rice	Reymer and Bros., Inc. vs. Gordon Smock and A. T. Davis, doing business as Burke's Entered May 10, 1940 Tax & entry (paid) 1.50 Costs on Trans. (paid) 8.05 Pro. for Co. 11-27-40, Bd. 2.50	Appeal by Defts from Judgment of S. G. McTarnaghan, Alderman May 13, 1940. Proof of notice of filing appeal filed. June 3, 1940, Statement of Claim Filed. Service accepted. And now, Nov. 27, 1940, on motion of plaintiff's attorney, judgment is entered against the defendants and in favor of the plaintiff for want of an affidavit of defense and liquidated at the sum of forty-eight & 82/100 dollars, with costs of suit. Debt $48.82 Int. from Nov. 27, 1940. Judgment Paul D. Clayton, Pro.

Joseph Thomas 153	In the Matter of the Petition of Clarence A. Prall an alleged insolvent For Relief provided for insolvent debtors by the laws of the Commonwealth Entered May 11, 1940 Pro. Slaytonpaid 7/7/40 5.00	Order: And now, May 9, 1940, on motion of F. Joseph Thomas, Esq., atty pro petitioner, it is ordered that the petitioner be heard on the 28th day of May, 1940, and that the petitioner give personal notice of the time and place fixed for the hearing, to all his creditors, at least fifteen days before said day thus fixed, as required by law. Per Curiam, O. Clare Kent, P.J. May 25, 1940 Affidavit of service of notice of hearing filed.

Now, May 28, 1940, after hearing upon the petition of Clarence A. Prall for discharge from arrest and imprisonment as an insolvent, it appearing to the Court that the said Clarence A. Prall is without means or property with which to pay installments under an order of this court providing for the support of a minor son, or to give bond for compliance therewith, and it still further appearing that the petitioner cannot comply while he is held in jail, and upon motion of Faris J. Thomas, Esq., attorney for said petitioner:- It is ordered, adjudged and decreed that the said Clarence A. Prall be discharged from arrest and imprisonment as prayed for, and for so doing this shall be sufficient warrant and authority.

Per Curiam,
O. Clare Kent,
President Judge.

(See paper filed)
May 28, 1940, Certified copy of Order issued to Sheriff.

No 147 MAY TERM, 1940, Continued.

Hugh McBride a minor, by Harry V. McBride, his guardian etc.

vs

Township of Rome

Costs contd from p. 309:

Costs on Remittitur:-

Attorney	3.00
Use of Plff-Appellant	12.00
Pro. Appeal S.C. Paid 1-16-46	3.00
Pro. docket & entries Paid 1-16-46	2.00
Pro. addl.	5.50
Jury fee	4.00
Bath	.50
Atty.	3.00

Record Continued from page 309

"The order of the Court below is reversed and the record is remitted to the Court below with instructions to make the rule absolute upon the payment of all costs accrued to date." (See Remittitur,)

ters & Prather
1
ymond C. Miller

1940 - Rec'd $25.00 master's fee — D.C. Thompson.
17, 1940. Rec'd $34.10 costs
P.D.S.

Elizabeth I. Faubion
vs.
Leon Wesley Faubion
Issued May 13, 1940

Tax & writ (paid)	#	3.00
Shff. Smith (paid)		1.60
Donald C. Thompson, master		25.00
Pro. for Co. 8/19/40. Pd.		9.10
Atty.		3.00

Subpoena in Divorce

And now, May 13, 1940 Subpoena awarded, Returnable to first Monday of July, 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: July 1, 1940, Non est inventus as to the within named respondent. So answers

Harry B. Smith, Sheriff

July 2, 1940 Alias Subpoena in Divorce issued, returnable to first Monday of August next.

Now, July 6, 1940 I hereby accept service of the within alias Subpoena in Divorce, by true and correct copy, with the same force and effect as if duly served by the Sheriff upon the respondent Leon Wesley Faubion, and I hereby enter my appearance generally for said respondent.

(See Alias Subpoena)

(Signed) Raymond C. Miller,
Attorney for Leon Wesley Faubion.

And now, August 17, 1940, Donald C. Thompson, Esq. is hereby appointed Master to take testimony in above case and report thereon to Court.

Per Curiam.

Aug. 30, 1940 Acceptance of service of notice of hearing before Master, by respondents atty, filed.

Sept. 21, 1940. Testimony and Report of Master filed.

On Argt. List for Sept. Term, 1940 No. 60.

Sept. 23, 1940 improperly on the list. Per Curiam.

Nov. 18, 1940 Supplemental Master's Report and additional testimony filed

On Argt. List for Nov. Term, 1940, No. 31.

Dec. 4, 1940, After due consideration a divorce is decreed as prayed for and the respondent, Leon Wesley Faubion, is ordered to pay the cost of this proceeding.

Per Curiam,

Decree.

And now to wit; Dec 4. A.D. 1940. this cause came on to be heard on libel subpoena, subsequent proceeding, and evidence there in duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed, That the said Elizabeth I. Faubion be divorced and forever separated from the matrimonial ties and bonds of matrimony heretofore contracted between her the said Elizabeth I. Faubion the libellant and the said Leon Wesley Faubion the respondent: and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Max B. Maloney 2	Petition of Joseph Sushansky for change of name to Joseph C. Shancey Entered May 13, 1940 Pro Slayton (paid) 5.00	May 13, 1940, Petition presented in open Court and filed. And now, May 13, 1940, upon motion of Max B. Maloney, attorney for petitioner, above named, the Court fixes August 5, 1940, 9:30 A.M. for hearing on the within petition, and direct that notice of the same shall be published in two newspapers of general circulation in Crawford County, Pennsylvania, once a week for four weeks. Per Curiam, (See petition) O. Clare Kent, P.J.

Aug. 10, 1940. Certificates of no judgments in Crawford or Allegheny County, of no mortgages in Allegheny County and proofs of publication of notice of petition, filed.

Final Decree: And now, August 5, 1940, upon hearing the petition filed in this case, and upon motion of Max B. Maloney, Attorney for petitioner, and upon proof of publication of the notice as required by the order of this Court, together with proof that there are no judgments or decrees of record or any other matter of like character against the petitioner, and it appearing that there is no legal objection to the granting of the prayer of the petitioner, it is ordered and decreed that the name of the petitioner be and his name is hereby changed to Joseph C. Shancey in accordance with the Acts of Assembly in such cases made and provided.

Per Curiam,
(See paper filed) O. Clare Kent, P.J.

ter J McClintock 3	Petition of Commissioners of Crawford County for approval of private sale to The Trustees of the Trusteed Assets of the Springs-First National Bank, Cambridge Springs Pa., of 138 acres in Rockdale Tp., which had been assessed in the name of S N Wilcox and sold to said County Comrs at Treasurers sale for taxes on 1st Monday of Aug. 1934 Entered May 13, 1940 $ Pro. Slayton 5.00	Preliminary Order. Now, May 13, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of June, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition, Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. (See petition) Per Curiam. June 3, 1940 Proof of publication of notice filed. Final Order: And now, June 3, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The Trustees of the Trusteed Assets of the Springs-First National Bank of Cambridge Springs, Penna, a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, Oblare Kent, President Judge.

	In Re: Report and Return of Mrs. Ralph B. Brown, Treasurer of Crawford County of Sale of Seated land and property, advertised to be held the first day of May 1940	May 13, 1940, Report presented and filed in open Court. And now, May 13, 1940, upon presentation, and due consideration of the within report and return it appearing to the Court that such sale has been regularly conducted under the provisions of the Act of Assembly in such cases made and provided, the said report and sale so made is confirmed nisi; and after notice of filing the said report and return being duly published by the County Treasurer in accordance with the law, if no exceptions are filed within sixty (60) days after the date of the filing of the same, said report and return be confirmed absolutely.
4	Entered May 13, 1940	
	Prs. Slayton $5.00	

Per Curiam,
O'Clare Kent, P.J.

May 13, 1940, Proof of publication attached to report and filed.

SEPTEMBER TERM, 1940

orge X Simonetta 5 Heyison, Oil City & Kent & Kent.	Russel Cyrus Watson vs. Frances Theresa Watson Issued May 13, 1940. Tax + writ (paid) 3.00 Stff. Smith real 2.90 4.80 7.20 Pro. Clayton, since paid 8/5/40 4.25	Subpoena in Divorce And now, May 13, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to the first Monday of July, 1940. Per Curiam, O. Clare Kent, P.J.

Subpoena retd. (a) I. O. Bell, Sheriff of Venango County, makes affidavit and return: that he served the within Subpoena in Divorce on the within named respondent, Frances Theresa Watson, on the 17th day of May, 1940, at 11:35 A.M., at her residence, #153 West 3d Street, Oil City, Venango County, Pa., by handing to her personally, a true and attested copy of the within Subpoena in Divorce, and making known to her the contents thereof. (b) Served the within Subpoena in Divorce on Frances Theresa Watson, respondent, by deputizing the Sheriff of Venango County, Pa., as per his return hereto attached. Sg answers Harry B. Smith, Sheriff.

May 25, 1940. J. R. Heyison and Kent & Kent appear for respondent. (See paper filed)

June 5, 1940. Respondent by atty's enters a rule on libellant to file a bill of particulars in the above case within thirty days, or non pros. (See paper filed) Same day, Service accepted by lib. atty.

And now, June 10, 1940, Petition of respondent presented in open Court, and upon consideration thereof, rule to show cause granted why the said libellant should not pay the sum of $125.00 to your petitioner on account of witness fees, counsel fees and the expense of maintaining her defense, and the further sum of $32.00 per month hereafter, until final disposition. That libellant shall file an answer hereto within fifteen days after service of a copy of said petition and this order, and that all facts set forth in said petition and not denied in said answer, shall be taken as admitted. (See paper filed) By the Court

Same day, Service accepted by Atty for libellant.

Now Aug 5, 1940, the plaintiff by his attorney hereby discontinues this above action.

George X Simonetta

George X. Simonetta
6

Aug. 13, 1940, Recd $35.00 costs
P. D. S

9/11/40 Recd of Asa Slaytin
$25.00 Master's fee
John Schuler

Received $1.90 refund on the above entitled case
George X. Simonetta

Paul Mangilo
vs.
Violet Mangilo
Issued May 15, 1940

Tax & writ (paid)	$ 3.00
Shff. Smith (paid)	$ 6.10
John Schuler, Master	25.00
Pro. for Co. 8/13/40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, May 15, 1940, the within petition presented in open Court, and Subpoena awarded returnable to the first Monday of July, 1940,

Per Curiam,
O. Clare Kent P.J.

May 24, 1940: Writ returned. Served the within Subpoena in Divorce on the Respondent, personally on the 20 day of May, 1940, by delivering to her a true and attested copy of the same and making known to her the contents thereof as appears from affidavit annexed. So answers, Harry B. Smith, Sheriff.

And now, August 13, 1940, John Schuler, Esq., is appointed Master to take testimony in the above entitled case and make a report thereto to the Court.

Per Curiam

Sept. 5, 1940, Testimony and Report of Master filed.

On Arg. List for Sept. Term, 1940, No. 39.

Now Sept. 27, 1940 After due consideration a divorce is decreed as prayed for.

Per Curiam,
O. Clare Kent, P. J.

SEPTEMBER TERM, 1940

Charles B. Stegner 7	Titusville Building and Loan Association vs. Robert W. Peterson and Charlotte R. Peterson Entered May 16, 1940 Pro. Slayton (atty fee) $2.25 Atty 3.00 Orig'l costs unpd Atty Stegner 3.00 Note: $2.25 included in new debt	Of No. 346 May Term, 1935, D.S.B. Amicable Scire Facias sur Judgment It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as by a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Four Hundred Thirty-eight and 77/100 Dollars, being the amount of debt, interest to May 11, 1935, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt $438.77 Int. from May 11, 1935 Judgment Paul D. Slayton, Pro. 8 pages 414137.

Oct. 21, 1952, Amd. Sci. Fa. to No. 96 Nov. Term, 1952.

John H. Bozic

8

Margaret N. Kightlinger

vs

Charles C. Kightlinger

Issued May 16, 1940

Tax & writ (paid)	$ 3.00
Shff. Smith (paid)	4.70
Arden D. Mook, Master	25.00
Pros for Co, 8/13/40. Pd.	8.10
Atty.	3.00

Aug. 13, 1940, Rec'd. $35.00 costs.
P. D. S.

And now Sept 4, 1940 rec'd Master fee of $25.00
Arden D. Mook
Master.

10/15/40 - Received of Harold Gray for L. Bo balance costs.
John H. Bozic

Subpoena in Divorce

And now, May 15, 1940, the within petition presented in open Court and Subpoena awarded returnable to the first Monday of July, 1940

Per Curiam
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 26th day of June, 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof, as appears from affidavit as above.

So answers Harry B. Smith, Sheriff.

And now, August 5, 1940 Arden D. Mook Esq. is appointed Master to take testimony in the above entitled case and make report to the Court.

Per Curiam.

Sept. 11, 1940, Testimony and Report of Master filed,

On Argt. List for Sept. Term, 1940, No. 40

Now Sept. 27, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Charles C. Kightlinger, is ordered to pay the cost of this proceeding.

Per Curiam,

Decree. And now to-wit September 27— O. Clare Kent, P.J.

A.D. 1940, this cause came to be heard on libel & subpoena, subsequent proceedings and evidence there in duly taken and filed of record, and it appearing to the Court that the causes set forth in the said Libel are true, it is by the Court ordered adjudged and decreed, That the said Margret N. Kitlinger be divorced and forever seperated from the nuptial ties & Bonds of Matrimony heretofore contracted between her the said Margret Margret N. Kitlinger the libellant and the said Charles C. Kightlinger the respondent and that there upon all and every, the duties, rights and claims accruing to either the said libellant or the said respondant at any time hereto fore in pursuance of said Marriage, shall cease and determine: and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been Married

Per Curiam.

Stuart A. Culbertson

Peter Gourley and ~~Minnie Mary~~ Gourley, his wife
vs
Grace Boyle
Issued May 16, 1940

Summons in Trespass
Returnable to first Monday of June, 1940.

And now, Dec. 23, 1940, on motion of Pltffs. atty, the record is amended by substituting the name "Minnie Gourley" instead of "Mary Gourley", for one of the plaintiffs. Per Curiam
(See paper filed) O. Clair Kent, P.J.

Dec. 23, 1940 Statement of claim filed.

Service accepted by Defts atty.

Writ returned: Served the within Summons personally on Grace Boyle on May 2, 1940 at 7:00 o'clock P.M., at No. 461 Spring Street in the Boro. of Cambridge Springs, Crawford County, Pa., by handing to her a true and attested copy thereof, and making contents of same known to her. So answers
Harry B. Smith, Sheriff.

Tax Writ 11/15/40. Pd.		$ 2.00
Stuff Smith (paid)		9.30
Pro. Clayton 8/29/42. Pd.		10.35
Jury fee 8/29/42. Pd.		.75
		4.00
Atty		3.00
Pro. S. suggestion of death		.50
Appeal (appellant pd.) 7-17-42		3.00
Docket entry for S.C. Atty. Supreme Court		3.25
		3.00

Feby. 21, 1941, Motion for order to extend time for filing petition to join additional defendant filed; Order, Now, February 21, 1941, upon presentation and consideration of the foregoing motion, the time within which Grace Boyle may file a petition to join Raymond Gourley as an additional defendant is hereby extended to the expiration of 8 days after the date of this order.
Per Curiam.

On Spring Trial List, 1941, No. 25.

Now, March 6, 1941, Jury selected and sworn as follows: 1- Wm. L. Wise, 2- Edw. A. Siverling, 3- Mrs. Lena Birkham, 4- M. W. Beers, 5- James Boland, 6- George H. Rutherford, 7- Mrs. Sara Hough, 8- Mrs. W. G. Hayes, 9- Richard Bleicher, 10- Mrs. Blanche Henry, 11- Mrs. James Kelley, 12- Margaret S. Mullen: twelve good and lawful persons, who upon their solemn oaths which they have taken, say, March 12, 1941, they find in favor of the plaintiffs, and award damages as follows:

To Mrs. Minnie Gourley			$2500.00
To Peter Gourley:	Doctor and Hospital Bills	$595.00	
	Automobile	145.00	
	Wages for hired help	1020.00	
	Total expenses	$1760.00	
Peter Gourley		5040.00	
Grand Total		6800.00	$6800.00

"B.O." page 156.

March 11, 1941. Defendant's points filed.

Now, March 15, 1941, A rule to show cause why judgment n.o.v. as to the plaintiffs, Peter Gourley, should not be entered for the defendant, is hereby granted, returnable sec. reg. The Stenographer is directed to transcribe the testimony, charge of the Court, points and answers thereto, into longhand and file the same of record and defendant is given thirty days after filing of the same in which to file additional reasons in support of the motion for judgment n.o.v.
Per Curiam.
(See paper filed.)
Costs on margin.

Thomas Kittoe
Pro. Clayton 7/11.
Jones & Bigbee
P.D. Pro.

And now Aug 29, 1942 rec'd of Pro. Clayton $14.30
atty

Now, March 15, 1941, a rule to show cause why a new trial should not be ordered hereby granted, returnable sec. reg. The Stenographer is directed to transcribe and file of record the notes of testimony and charge of the Court; and the deft. granted thirty days time after the filing of the same and service of notice thereof in which to file additional reasons in support of the motion for a new trial. (See paper filed) Per Curiam
April 15, 1941, Testimony and Charge of the Court filed.
Arg. List for May Term, 1941; No. 22, May 27, 1941 No argument. Briefs to be filed before June 1, 1941. No. papers taken.
Per Curiam

Continued on page 634.

Walter J. McClintock 10	Petition of County Commissioners of Crawford County for approval of private sale to Neota N Rath of Greenwood Tp., of 37 acres of land in Greenwood Tp, which had been assessed in the name of L.E. Rath, and sold to said County Comrs at Treasurer's sale for taxes on the 1st Mon. of Aug. 1934 Entered May 20, 1940 Pro. Slayton $5.00 Trib. Pubg Co. adv. 10.63	Preliminary Order. Now, May 20, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of June, 1940 at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford (See petition) Per Curiam. June 3, 1940. Proof of publication of notice filed. Final Order: And now, June 3, 1940 at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Neota N Rath, of Greenwood Township, a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam O. Clare Kent President Judge (See paper filed)

J A Boland	Use of Trustees of Trusteed Assets of the Springs-First National Bank of Cambridge Springs, Pa., vs. Carrie M. Rhodes Entered May 29, 1940 Pro. Slayton Fee $2.25 Atty 3.00	Of No. 390 May Term, 1935, D.S.B. Amicable Scire Facias sur judgment. It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county and duly so returned, and that a judgment be entered thereon, in favor of the plaintiff and against the defendant, for the sum of Three Thousand Two Hundred Fifty-nine and 57/100 Dollars, being the amount of debt, interest, collection fee, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt $3259.57 Int. from June 1, 1940. Judgment Paul D. Slayton, Pro. R. page 51.

July 16-1942. Settlement having been effected by the defendant, now by direction of J.C. Allen, secretary for plaintiffs, I do hereby satisfy and fully discharge this judgment record.

J A Boland atty for Plff

J. A. Boland

612

Use of Trustees of trusteed assets of The Springs First National Bank of Cambridge Springs, Pa.,
vs.
Irene G. Green, alias Irene Green, and J. L. Green
Issued May 20, 1940

Pro. Slayton (Pltff pd)	$ 2.25
Shff Smith (Pd)	8.90
Pro. for Co. 8/6/40. Pd.	2.50
Atty	3.00
Pltff. for original	1.75
	16.40

Of No. 602 February Term, 1936 D.S.
Scire Facias to revive and continue the lien of the above judgment. Returnable to first Monday of July, 1940.
"G" page 95.
May 22, 1940, Statement of Claim filed. 2 copies certified.
Aug. 6, 1940, Sci. Fa. Retd.; Served the within Sci. Fa. to Revive Judgment, together with copy of Statement of Claim, personally, on Irene G. Green, alias Irene Green, at her residence in Rockdale Township, Crawford County, Pa., on May 25, 1940, at 3:40 o'clock P.M., by handing to her a true and attested copy of the within Sci. Fa. to Revive Judgment, together with Copy of Statement of Claim and making contents of same known to her. Also served the within Sci. Fa. to Revive Judgment, together with Copy of Statement of Claim, personally, on J. L. Green, by serving Irene G. Green, she being an adult member of the family, namely, his wife, on May 25, 1940, at 3:40 o'clock P.M., at their residence in Rockdale Township, Crawford County, Pa., by handing to her a true and attested copy of the within Sci. Fa. to Revive Judgment, together with Copy of Statement of Claim and making contents of same known to her.
So answers,
Harry B. Smith, Sheriff.

And now, Aug. 6, 1940, On motion of plaintiff's attorney judgment is entered against the defendants and in favor of the plaintiffs for want of an affidavit of defense, and liquidated at the sum of Six Hundred twelve & 96/100 Dollars, with costs of suit.

Debt # 612.96
Interest from May 12, 1940.
Judgment
Paul D. Slayton, Prothy.

G-95.
Att'y Ex. to No. 131 Sept. Term, 1941.
Oct 27-1941 This case has been settled and is now satisfied of record.
J. A. Boland Att'y for Plff

SEPTEMBER TERM, 1940

J. Perry Eckels
13

Alma D. Phillips
vs.
Chester H. Phillips
Issued May 20, 1940

Tax & writ (paid) $3.00
Shff. Smith (paid) 1.60
Stff. Smith, alias (paid) 1.60
Stff. Smith, proc. (pd) 17.15
Bro. Slaughton 9/11/40 Cl. 10.00
W. McClintock, Master 25.00
Atty. 3.00

Subpoena in Divorce

And now, May 20th, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to first Monday of July, 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: July 1, 1940. Non est inventus as to the within named respondent. So answers

Harry B. Smith, Stiff.

July 2, 1940, Alias Subpoena in Divorce issued, returnable to the first Monday of August next.

Alias Subpoena returned: Aug 5, 1940, Non est inventus as to the within named respondent.

So answers Harry B. Smith, Sheriff.

Aug. 9, 1940, Order issued for publication of Sheriff's proclamation in divorce, returnable to second Monday of September next.

And now, Sept. 9, 1940, I have made proclamation in the above entitled case according to law, and caused the same to be published in the Enterprise News, Cambridge Springs, Pa., a newspaper printed within my bailiwick, once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached. So answers Harry B. Smith, Sheriff.

And now, Sept. 9, 1940, Walter J. McClintock, Esq. is appointed Master to take testimony and report thereon to the Court. (See paper filed) Cert. issued.

Per Curiam.

Sept. 9, 1940: Received $5.00 costs. Gill M. for Pro.

Sept. 20, 1940 Recd $25.00 orders Fee Master Gill M. Chantell

Sept. 20, 1940 Testimony and Report of Master filed.

On Arg. List for Sept. Term, 1940, No. 41.

Now Sept. 27, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Chester H. Phillips, is ordered to pay the costs of this proceeding.

Per Curiam.

Decree. And now to-wit Sept. 27, A.D. 1940, this cause coming on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon, duly taken and filed on record, and it appearing to the court that the causes set forth in said libel are true, it is by the court ordered, adjudged & decreed: That the said Alma D. Phillips the libellant and the said Chester H. Phillips the respondent, be and they are hereby severally divorced from the bonds of matrimony entered into between them, and that the said libellant and the said Chester H. Phillips the respondent, and each of them, be freed from all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time hereto fore in pursuance of said marriage shall cease and determine: And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

14	In re Crawford County Law Library: Annual Report of the Law Library Committee for the year 1939 Entered May 20, 1939 Pro. Blayton $2.50	May 20, 1940, Report filed in open court. Now, May 20, 1940, upon presentation of the within report, and in consideration of the recommendation therein contained, the sum of $2500.00 is hereby appropriated for the use of the Law Library for the year 1940. Per curiam, O. Clare Kent, P.J.

ymond C. Miller 15	Stella Della Klapach vs Joseph Klapach Issued May 21, 1940	Subpoena in Divorce and for the custody of the minor children of the parties: Margaret Jean and Olga Irene. And now, May 21, 1940, Subpoena awarded, Returnable to first Monday of July next. Per Curiam, O. Blare Kent, P.J.
	Tax & writ 5/22/40 Pd. $ 3.00 Shff. Smith (paid) 2.90 Shff. of Mercer Co. (paid) 6.00 Stuart A. Culbertson, Master 25.00 Pro. for Co. 11-14-41. Pd. 8.60 Atty. 3.00	Subpoena returned: May 23 1940. Served the within Subpoena in Divorce on Joseph Klapach, by handing a true and attested copy to him personally, at
13, 1941, Rec'd $33.60 costs. P.D.S.		his place of residence No. 115 Summit Avenue, Sharon, Mercer County, Penna, at 10:25 A.M. First making known to him the contents thereof. So answers Alex Elliot Sheriff of Mercer County.
ov. 21, 1941 rec'd 1 Pro Way Pd $75 to Master		Served the within Subpoena in Divorce on Joseph Klapach respondent, by deputizing the Sheriff of Mercer County, Pa, as per his return hereto attached. So answers Harry B. Smith, Sheriff.
Master		And now, November 13th, 1941, Stuart A. Culbertson, Esq., is appointed master in divorce in the above case to hear testimony and make report thereon to the Court. Per Curiam. Nov. 21, 1941, Testimony and Report of Master filed.

J. Perry Eckels

16

Department of Public Assistance of the Commonwealth of Pennsylvania,
vs.
Hazel I. Swafford, administratrix of the estate of Seymour J. Snyder deceased
Issued May 21, 1940

Writ 6/20/40 Pd. 1.75
State tax .50
Stiff Smith (paid) 8.00
Pro. Slayton 8-21-41. Pd. 2.00
Atty 3.00

Summons in Assumpsit Returnable to the first Monday of June next.

May 21, 1940, Statement of claim filed

Writ retd: Served the within summons together with copy of Statement of claim personally on Hazel I. Swafford, administratrix of the estate of Seymour J. Snyder deceased at her residence in Conneaut Township, Crawford County, Pa., on May 25, 1940, at 5:45 o'clock P.M. by handing to her a true and attested copy thereof, and making contents of same known to her.

So answers Harry B. Smith, Sheriff

I, Hazel I. Swafford, Administratrix of the Estate of Seymour J. Snyder, hereby confess judgment in the above entitled case, against me as defendant, and in favor of the Department of Public Assistance of the Commonwealth of Pennsylvania, plaintiff, for the sum of Seven Hundred Fifty-one and 80/100 ($751.80) Dollars, with costs of suit hereby releasing all errors.

Witness my hand and seal this 31st day of October, 1940.

(Signed) Hazel I. Swafford (Seal)
Administratrix of the Estate
of Seymour J. Snyder, deceased

(See paper filed Nov. 7, 1940.)

Debt $751.80
Interest from Oct. 31, 1940.

Sw. page 51; In. page 158. Judgment Nov. 7, 1940
Paul D. Slayton, Pro.

A. Bolard

17

Use of Trustees of Trusteed Assets of The Spring-First National Bank of Cambridge Springs, Pa.,

vs.

Harry Kebort and Mrs. Harry Kebort.

Entered May 22, 1940

Pro, Slayton (paid) $2.25
Atty 3.00

Of No. 369 May Term, 1935, D. S. B.

Amicable Scire Facias sur Judgment

It is agreed, That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiffs, and against the defendants, for the sum of Four Hundred thirty-seven and 27/100 Dollars, being the amount of debt, interest, attorneys commission and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $437.27
Atty com included 15.94
Int. from May 27, 1940.

K. page 60. Judgment
Paul D. Slayton, Pro

J. A. Bolard	Use of Trustees of Trusted Assets of The Springs-First National Bank of Cambridge Springs, Pa.	Of No. 370 May Term, 1935 D.S. Amicable Scire Facias sur judgment. It is agreed That the Prothonotary of said Court enter an amicable Scire Facias on the above judgment, with the same effect as if a Scire Facia to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiffs, for the sum of Four Hundred Thirty-seven and 27/100 Dollars, being the amount of debt, interest, attorneys commission and costs, now due on the original judgment, with all the waivers and conditions contained in the original judgment note.
18	vs.	
	J. W. Greene	
	Entered May 22, 1940	
	Pro Slayton (pd) $2.25	
	Atty 3.00	

Debt $437.27
Atty com. included, 15.9¢
Int. from May 27, 1940
G. page 120 Judgment
Paul D. Slayton, Pro.

SEPTEMBER TERM, 1940

A. Boland.
Robert J. Firman
19

July 1, 1940. Recd $35.00 costs
P. D. B.

July 1 1940
Rec'd $25.00 Master fee
J. Perry Eckels
July 21-1940. Recd
from Bro. $1.90
Jas. Blakeslee

Laura Schobey
vs.
Charles E. Schobey
Issued May 22, 1940

Tax & writ (paid)	$ 3.00
Shff. Smith (paid)	2.90
Shff. of Warren Co. (paid)	7.70
J. Perry Eckels, Master	25.00
Pro. for Co. 7-12-40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, May 22, 1940, Subpoena awarded, returnable first Monday of July next.

Per Curiam,
O. Blare Kent, P.J.

Subpoena returned:-

The Sheriff of Warren County, Penna, makes affidavit and return, "That he served the within Subpoena in Divorce upon Charles E. Schobey, the respondent within named, on the 19th day of June, 1940, at 11:02 o'clock A. M. daylight saving time, by handing a true and attested copy of this personally, to the said Charles E. Schobey, respondent, by making known to him the contents thereof at his place of residence in the Township of Conydon, County of Warren and State of Pennsylvania, and affiant further says that the person so served is the respondent named in the within Subpoena in Divorce, deriving his information from the said respondent by his own admission."

So answers W. C. Stewart, Sheriff of Warren County Pa

Now, July 1, 1940, Served the within Subpoena in Divorce on Charles E. Schobey, Respondent, by deputizing the Sheriff of Warren County, Pa., as per his return hereto attached.

So answers Harry B. Smith, Sheriff.

And now, July 1, 1940, upon presentation of this motion J. Perry Eckels, Esq., is appointed Master in within stated divorce case.
(See paper filed)

Per Curiam,

July 19, 1940, Testimony and Report of Master filed.

On Arg. List for Sept. Term, 1940. No. 42.

Sept. 27, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Charles E. Schobey, is ordered to pay the cost of this proceeding.

Per Curiam,

Decree And now to-wit: September 27. A. D. 1940, this cause came to be heard on libel, subpoena, subsequent proceedings and evidence thereon duly taken and filed of record and it appearing to the court that the causes set forth in said libel are true it is by the court ordered adjudged & decreed that the said Laura Schobey, be divorced and forever separated from the nuptial ties & bonds of matrimony heretofore contracted between her the libellant and the said respondent Charles E. Schobey and that thereupon all & every the duties, rights & claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine and the said libellant and respondent shall severally, be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Dickson Andrews 20	Minnie M. Strauss vs O. M. Randall and Mrs. O. M. Randall Entered May 22, 1940	Amicable Action of Ejectment with Confession of Judgment, for premises in the First Ward of the City of Meadville, County of Crawford and State of Pennsylvania, described as follows: Second Floor Apartment and garage, located at 274 Park Place, Meadville, Pa., the said premises, known as 274 Park Place being bounded on the north by Park Place, on the east by land of Josephine Adams; on the south by land of Roseki heirs, and on the west by lands of Charles W. Muckinhoupt and True W. Thompson, having a frontage of fifty (50) feet on Park Place, and a depth of seventy-five (75) feet.

Tax & Pro. S. (Plff. paid) $3.50
Atty 3.00

It is hereby agreed that the above action be entered, as if a summons had been regularly issued out of said Court at the suit of the plaintiff against the defendants on a certain article of agreement or lease hereto attached and made a part hereof, and had been duly served and so returned by the Sheriff; and that judgment be entered therein for the plaintiff, without appeal, writ of error or stay of execution.

This judgment in ejectment for said premises is entered upon the determination of said agreement by virtue of the default of the said defendants in their non performance of said agreement to pay the installments of rental mentioned in said agreement as the same fell due according to the terms thereof and in permitting the same to be in arrears and unpaid whereby the said agreement, the said plaintiff hereby declares and avers, has absolutely ceased and determined.

(See affidavit of default and original lease filed)

"R", pages 1 & 26 Judgment.

Paul D. Slayton, Pro

Hab. Fac. Poss. with Clause of Fi. Fa. for Costs, to No. 16 Sept. T. 1940.

SEPTEMBER TERM, 1940

21	Norman Rath vs. Mertie McQuiston & H. E. McQuiston Entered May 24, 1940 ✓ Pro. Slayton (paid) $2.25	Of No. 325 February Term, 1935 D.S.B. Amicable Scire Facias sur Judgment. It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Two Hundred Fifty-six and 75/100 Dollars, being the amount of debt, interest to March 10, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note. Debt $256.75 Int. from Mar. 10, 1940 "Mc" pages 62&65 ✓ Judgment Paul D. Slayton, Pro.

March 31, 1942, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Norman Rath

Attest: Paul D. Slayton, Pro.

Stuart A. Culbertson 22	William J. Fox now Crawford County Judge, Sitting by Special Order of Court, use of Inez A. Hall vs John Tordella and Alice Y. Tordella Entered May 25, 1940 Pro. Slayton 6/4/40, # Od. 225 Atty 3.00	No. 46 September Term, 1935, Appearance Amicable Scire Facias sur Judgment It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Seven Hundred ninety-eight and 50/100 Dollars, being the amount of debt, interest to May 20, 1940 and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt # 798.50 Atty com. included. Int. from May 20, 1940. Judgment Paul D. Slayton, Pro. "J" page 37.

Cnc

June 20, 1940 Received satisfaction in full of the within judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Stuart A. Culbertson
Attorney for Plaintiff

SEPTEMBER TERM, 1940

Hart A. Culbertson 23 Joseph T Thomas	William M. Smith vs. Mrs. Della Dearborn Entered May 25, 1940 ✓ Tax + entry (Deft. paid) $1.50 Costs on Trans (Pltff. paid $2.00 Deft. paid $2.60) 2.60 ✓ Pro. for Co. 12/26/40. Pltff. by Deft 1.50 Atty. 3.00 (5/16/41 Pltff to pay $15 at. fee) $8.00	Appeal by Deft from Judgment of S. G. Mac Farraghan, Alderman. May 25, 1940, Proof of notice to Pltff. of filing appeal transcript, filed. And now Sept. 28, 1940, On motion of defendants attorney judgment of non pros is entered against the plaintiff in default of a Statement and affidavit of Claim. Judgment Non Pros' Paul D. Slayton, Prothy.

And now June 13, 1941 received satisfaction of this judgment and direct the prothonotary to satisfy the same of record.

H. Joseph Thomas

J. A. Bolard	Springs-First National Bank of Cambridge Springs, Pa., now use of Trustees of Trusteed Assets of The Springs-First National Bank of Cambridge Springs, Pa.,	Of No. 212 May Term, 1940, D. S. B. Attachment Execution; Returnable to first Monday of July next. To attach all and singular the goods and chattels, rights and credits, moneys and property of the defendant in whose hands the same may be, and especially to attach all legacies or distributive shares due or belonging to the deft. in the hands or possession of Cora I. Jones, administratrix, c.t.a. of the estate of C. W. Jones deceased, and to summon her or them as garnishees.
24	vs.	
	Clyde C. Jones, Deft and Cora I. Jones administratrix c.t.a. of C. W. Jones, deceased, Garnishee.	
	Issued May 25, 1940	
	#	
✓	Tax & writ (paid) 2.75	
	Stff. Smith (paid) 7.30	

Writ returned: Attached as within commanded, the goods, chattels, moneys and credits and effects of the defendant, Clyde C. Jones, in the hands of Cora I. Jones, Admx. c.t.a. of the last will and testament of C. W. Jones, deceased, garnishee on May 25, 1940, at 2:10 o'clock P. M., and declared in the presence of credible witnesses of the neighborhood that the said goods, moneys, estate and effects were attached as the goods and effects of the defendant in the hands of the said garnishee, and at the same time summoned the said garnishee by handing a true and attested copy of the within writ to her personally at Arcade Block, on Main Street, Cambridge Springs, Crawford County, Pa., and making contents of same known to her. Nihil habet as to Clyde C. Jones, defendant.

So answers, Harry B. Smith, Sheriff.

W. J. Sirdevan
25

Herman Joseph Burkett
vs.
Thelma Evelyn Burkett
Issued May 27, 1940

Tax & writ (paid)	$	3.00
Prather, const. sub. (paid)		1.00
Pro. for Act. 10/29/40. Pd.		2.50
James E. Jack, Master		25.00
Pro. for Co. 2-6-41. Pd		8.10
Atty.		3.00

Subpoena in Divorce

And now, May 27, 1940 Subpoena awarded, Returnable first Monday of July, 1940

Per Curiam,
O. Clare Kent, P.J.

May 28, 1940, Proof of service of notice on minor respondent to apply for appointment of guardian, under rule 30, filed.

Subpoena ret'd. John M Prather, Constable, makes affidavit and return: That on the 27th day of May, 1940, in the City of Titusville, Pa., he served the within Subpoena in Divorce, upon Thelma Evelyn Burkett, the respondent therein named, by handing to her and leaving with her, a true and attested copy thereof, exhibiting the within original subpoena to her and making known to her the contents thereof; that deponent knows the person so served to be the respondent named herein." (See Subpoena in Divorce)

And now, Oct. 29, 1940 upon presentation and consideration of petition of libellant, it is hereby ordered that Herbert E. Varnum, Esq., Titusville, Pa., be and he is hereby appointed guardian ad litem for Thelma Evelyn Burkett, minor, respondent herein

Per Curiam,
O. Clare Kent, P.J.

(See paper filed)

And now, Feby. 6th, 1941, James E. Jack Esq., is appointed Master as within moved. Per Curiam,

Feby 6, 1941, Rec'd. $33.10 costs
P. D. S.

Feb 7, 1941, Admissions by Herbert E. Varnum, Esq., Guardian ad litem for respondent of the service upon him of the Subpoena in divorce, on Nov. 2, 1940, and of notice of application for appointment of Master, on Feb 3, 1941.

Feb. 21, 1941 Rec'd $25.00 Master's fees. J. E. Jack

Feby. 21, 1941, Testimony and Report of Master filed.

On Arg't. List for Feby. Term, 1941, No. 45.

March 12, 1941 After due consideration a divorce is decreed as prayed for upon payment of costs by libellant. Per Curiam.

—Decree— And now to wit March 12 - A.D. 1941 this cause came on to be heard on libel, subpoena subsequent proceedings, and evidence there in duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is per the Court ordered adjudged and decreed, That the said Herman Joseph Burkett be divorced and forever separated from the marital tie and bonds of matrimony heretofore contracted between him the said Herman Joseph Burkett the libellant and the said Thelma Evelyn Burkett the respondent

Cont on margin

Feby. 6, 1941, Rec'd. $33.10 costs
P. D. S.

Feb. 21, 1941 Rec'd $25.00 Master's fees. J. E. Jack

and that thereupon all and every the duties rights and claims accruing to the said libellant or said respondent at any time hereto fore in consequence of said Marriage shall cease & determine! and the said libellant & respondent shall severally & lawfully marry again as if they had never been married

Per Curiam

J. Perry Eckels 26	Petition of Charles W Dunham and Myrta T. Dunham for Satisfaction of a Mortgage given by Lucinda Landon to E.J. Montague dated Jan. 7, 1879, and recorded in Mortgage Book N page 365 Entered May 27/1940 Pro Slayton 12/31/40 Paid 5.00 Shff. Smith (paid) 2425	May 27, 1940, Petition presented in open Court and filed. And now, May 27, 1940, the foregoing petition having been presented and duly considered, it is hereby ordered that the Sheriff give notice in the above proceedings to the said E.J. Montague, by copy served personally, or left at his place of residence, if found within the County, and to him and all other parties out of the County, if any, and to all unknown parties, if any, by public notice published in the Conneautville Courier, once a week four four consecutive weeks, which notice shall briefly state the facts set forth in the petition and require the parties to appear in this court, on the first Monday of August, 1940, at 9:30 o'clock A.M., to show cause, if any they have, why the encumbrance of said mortgage should not be released and discharged from the said land; service of said notice as aforesaid to be made at least twenty days prior to the day designated for appearance. (See petition) Per Curiam. Sheriff May 27, 1940, Certified copy of petition and order issued. Sept. 3, 1940, Sheriffs return with proof of publication of notice annexed, filed. Decree: And now, September 3, 1940, upon motion of J. Perry Eckels, Esq., Attorney for Petitioners, Charles W Dunham and Myrta T. Dunham, and upon consideration of the petition filed herein, the order of May 27th 1940 on said petition, the proof of publication filed herein and the other proceedings herein had, and there being no appearance nor answer filed for any party, and this Court being satisfied of the truth of the said petition It is Ordered, Adjudged ~~and~~ Decreed and Directed, That satisfaction shall be entered on the record of the mortgage given by Lucinda Landon to E.J. Montague, recorded in Mortgage Book N, page 365, by the Recorder of Deeds of Crawford County, Pa., on payment of the costs due relative to the entry of said mortgage or any proceedings thereon; which said satisfaction so entered shall forever thereafter discharge, defeat and release the same, and shall likewise bar all actions brought or to be brought thereon as fully and effectually to all intents and purposes, as if the satisfaction had been entered by the legal holder or holders of the said mortgage. Per Curiam (See paper filed) Certified Copy of decree issued. O. Clare Kent, P.J.

Walter J. McClintock

27

J. L. Connell, Wesley G. Reitze and Harry L. Wentworth, Commissioners of Crawford County, Petitioners,

vs.

J. C. Himebaugh, Administrator C.T.A. of the estate of William C. Himebaugh, deceased, and Bertha Goodwill and Arthur G. Bellen, Executors of the estate of Frank J. Goodwill, deceased, Respondents

Entered May 27, 1940

Pro. Clayton 9/3/40 10.00

May 27, 1940. Petition of J. L. Connell, Wesley G. Reitze and Harry L. Wentworth, Commissioners of Crawford County, for establishment of title to land situate in Athens Township, purchased at County Treasurer's sale for unpaid taxes as property of Wm. C. Himebaugh. For descriptions at length and plot of land, etc., see Exhibits A, B and C attached to petition.

Preliminary Order.

And now May 27, 1940, upon presentation of the within petition, and upon motion of Walter J. McClintock, Esq., Attorney for the petitioners, a rule is hereby granted upon the persons named in the within petition, and generally upon all other persons not named in the within petition, who have or claim to have any right, title, or interest in, or claim against, the land described in paragraph No. 8 of the within petition, being two parcels of land in Athens Township, Crawford County, Pa., one containing one hundred forty-three (143) acres, forty-five (45) rods of land, more or less, and the other containing one hundred fifty (150) acres of land, more or less, and being the lands designated as Parcel No. 3 and Parcel No. 4, respectively, in the survey or plan hereto attached and marked Exhibit "B," to appear within sixty (60) days from the service of said rule and show cause why the title of petitioners to said lands should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever, subject, however to the within recited first mortgage on the parcel of one hundred forty-three (143) acres, forty-five (45) rods, given by William C. Himebaugh to Edna L. Van Matre, dated January 13, 1917, and recorded January 23, 1917, in Mortgage Book 94, page 123, to secure a real debt of $2500.00, and subject, however, to the within recited first mortgage on the one hundred fifty (150) acre parcel given by W. C. Himebaugh to John R. Reed, dated February 2, 1917, recorded March 2, 1917, in Mortgage Book 94, page 160, to secure a real debt of $2200.00, as provided by Act of Assembly, as amended, of 1939, April 11, P. L. 22 (72 P.S. 6139 et seq.). Returnable to the first Monday of August, 1940, at 9:30 A.M.

Said rule shall be served upon the parties in interest named in the petition, namely, J. C. Himebaugh, Administrator C.T.A. of the estate of William C. Himebaugh, deceased,

Continued on page 648.

Stuart A Culbertson
28

Sept. 3, 1940, Rec'd $35.00 costs.
P. D. S.

September 19, 1940, I hereby acknowledge receipt of $25.00 from Pro. Slagle, Master's fee in full.
Raymond C. Miller

And now Oct 22, 1940 rec'd of Pro Slagle $1.00 costs and spread
Harry B Smith Sheriff

Genevieve Gilliland
vs.
Clifford Gilliland
Issued May 27, 1940

	$
Tax writ (paid)	3.00
Shff, Smith (paid)	3.20
Raymond C. Miller, Master	25.00
Pro. for Co. 9/4/40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce and for the custody of minor children: Betty Jane, aged 14 years and Gerald aged 7 years.

And now, May 27, 1940, the within presented in open Court, and Subpoena awarded, returnable to the first Monday of July, 1940

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the respondent personally on the 27th day of May, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above

So answers Harry B Smith, Sheriff.

And now, September 3, 1940, Raymond C. Miller, Esq. is hereby appointed Master to take testimony in the above entitled case and make report to the court.

Per Curiam

Sept. 19, 1940, Testimony and Report of Master filed.

On Arg. List for Sept. Term, 1940, No. 43.

Now Sept. 28, 1940 After due consideration a divorce is decreed as prayed for, the respondent is ordered to pay the cost of this proceeding and the custody of minor children, Betty Jane and Gerald Gilliland is awarded to Libellant, Genevieve Gilliland,

Per Curiam,

Decree And now to-wit: September 28-A.D. 1940 this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon, duly taken and filed of record, and it appearing to the Court that the cause set forth in said libel are true it is by the Court ordered, adjudged and decreed, That the said, Genevieve Gilliland be divorced and for ever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Genevieve Gilliland the libellant and the said Clifford Gilliland the respondent and that thereafter all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. It is further ordered & decreed that the custody of minor children, Betty Jane & Gerald Gilliland is awarded to the libellant, Genevieve Gilliland.

Per Curiam.

O. Clare Kent, P.J.

R.B. Mahany 29 Charles B. Stegner See Statement of Claim)	Quality Cash Stores Inc., Titusville, Pa. vs. Iona W. Wilson Entered May 27, 1940 $ Tax & writ (paid) 1.50 Costs on Trans. Cert. of appeal (Apt. pd Sapp) 2.40	Appeal by Deft. from Judgment of Robert A. Kerr, Justice of the Peace Aug. 21, 1941, Acceptance of service of notice by Pepps, atty, of filing appeal in this case, filed Sept. 16, 1941, Statement of claim filed. Service accepted by Defts Atty.

Stuart A. Culbertson 30	Home Owners Loan Corporation vs. Paul B. Millspaw and Charlotte S. Millspaw, his wife Entered May 27, 1940 Tax & Prod. paid 7/2/40 3.50 Atty 3.00	Amicable Action and Confession of Judgment in Ejectment for premises situate at 171 N. Main Street, Cambridge Springs, Penna., with a nine room dwelling with two bathrooms, erected thereon, which premises were leased by the plaintiff to the defendants by lease dated Sept. 28, 193 May 27, 1940, Amicable action, confession of judgment, affidavit of default and original lease filed. It is hereby agreed that the above action be entered, as if a summons had been regularly issued out of said court, at the suit of the plaintiff against the defendants, on the certain lease hereto annexed, and had been duly served and so returned by the Sheriff; and that judgment be entered thereon for the plaintiff, without any stay of execution or appeal, or writ of error, or objection or exception. This judgment in ejectment for said premises is entered upon the termination of said lease by virtue of default in payment of rent according to the terms of said lease, whereby the same became in arrears and unpaid; that under the terms of said lease same shall terminate upon expiration of the term thereof without any further notice to either party; and notice to quit said premises was given by the plaintiff to the defendants on March 18, 194 "M" page 196 Judgment. Paul D. Slayton, Prothy Hab. Fac. Poss. with clause of Fi. Fa. for costs, to No. 14 Sept. Term, 1940.

F. C. Kiebort, Jr. 31	William J. Stewart vs. John C. Wilson, Administrator of the estate of George B. Wilson, deceased. Issued May 28, 1940 # Tax writ (pd. 5/31/40) 2.25 Pro. for Co. 8-7-41. Pd. 1.00 Atty. 3.00	Summons in Assumpsit Returnable to first Monday of July, 1940. "Wi" pages 143 & 63 May 28, 1940. I hereby accept service of this summons, with the same force and effect as if the same had been duly served upon John C. Wilson, administrator of the estate of George B. Wilson, by the Sheriff. (Sgd) John J. Kent Attorney for John C. Wilson (See writ)

Now Aug. 6, 1941 the above case is settled and discontinued of record.

F. C. Kiebort Jr.
Attorney for Plaintiff

Rowland B. Mahaney

32

7-15-55 Paid Titusville Herald $11.00 adv. costs by Check #5131, C.P.J.

Costs Continued:

Pro. Second + part. acct. 7-18-46 Pd. 10.00
Pro. Third + part acct 7-8-49 Pd. 10.00
Pro. Fourth + part. acct. 7-1-52 Pd. 7.50
Pro. for Co. 4/30/55 Paid 3.00
7-15-55
Pro. 5th acct. inc. disch. Paid 9.50

July 3, 1943, First and Partial Account of Guardian filed showing balance due estate of $601.58.

July 18, 1944, Second and Partial Account of Guardian filed showing balance due estate of $1,064.97.

July 8, 1949, Third + Partial Account of Guardian filed showing balance due estate of $802.93.

July 7, 1952, Fourth + Partial Account of Guardian filed, showing balance of $133.16, due the estate.

Continued on page 555

Petition of Albert O. Law for appointment of a Guardian for Martha D. Wilcox of the City of Titusville as a person of weak mind.

Entered May 28, 1940

Pro. Clayton (atty fee)	5.00
Pro. certs. 7-8-140 Pd.	1.00
Petition 7/16/40. Pd.	2.50
Pro. certs. 10-7-40. Pd.	1.00
Pro. certs. + Pet. 12-2-40. Pd.	3.50
Pro. first + part, accts. 7-8-43 Pd.	10.00

(Costs continued in margin.)

May 28, 1940, Petition presented in open Court and filed.

W. page 133

And now, to wit, this 28th day of May, 1940, on consideration of the foregoing petition, and on motion of Rowland B. Mahaney, attorney for the petitioner within named, it is ordered that a hearing on the foregoing application be had before this Court on the first day of July, 1940, and that ten days written notice thereof be given to the said Martha D. Wilcox, and also to the said Mrs. Mollie L. Jorden and Mattie Kerns (See petition) Per Curiam.

July 1, 1940, Proof of service of notice upon next of kin and affidavit of R. H. Israel, Supt. of Warren State Hospital, filed.

Decree: And now, July 1, 1940, after careful consideration of the testimony taken in this case, the Court finds that Martha D. Wilcox is not able, owing to insanity or weakness of mind, to take care of her own property. Albert O. Law is appointed guardian to take care of the property of the said Martha D. Wilcox the said named Guardian to enter or give bond with sureties approved by the Court, in the sum of One Thousand ($1000.00) Dollars, conditioned for the faithful performance of his trust. (See paper filed) Per Curiam.

July 1, 1940, Bond of Albert O. Law, Guardian, with Indemnity Insurance Company of North America as surety, in the sum of $1000.00, approved by the Court, and filed.

July 13, 1940, Petition of guardian for an allowance for support of ward, filed.

And now, July 13, 1940, upon consideration of the foregoing petition, it is hereby ordered and decreed that the prayer thereof be granted, and that Albert O. Law, guardian of the estate of Martha D. Wilcox, be and is hereby granted authority to pay the Department of Revenue of the Commonwealth of Pennsylvania, for the care and maintenance of the said Martha D. Wilcox in the Warren State Hospital, from the income of her said estate. Per Curiam,
(See petition filed) O. Clare Kent, P.J.

And now, Dec. 2, 1940, upon presentation and consideration of petition of guardian, it is ordered that Albert O. Law, Guardian of the estate of Martha D. Wilcox, is authorized to sell, at market value, the fifteen shares of common stock of the Lone Star Gas Co. now which belongs to Martha D. Wilcox. Per Curiam. (See paper filed)

J. C. Kiebort, Jr.
33

M. R. Dennis and Sons
vs.
John C. Wilson, Administrator of the estate of George B. Wilson, deceased.
Issued May 28, 1940

Tax & writ (paid) $2.25
Pro. for Co. 11-22-41, Pd. 1.00
atty. 3.00

Summons in Assumpsit; Returnable to first Monday of July, 1940.
"W" pages 143 & 63

May 28, 1940, I hereby accept service of this Summons, with the same force and effect as if the same had been duly served upon John C. Wilcox, administrator of the estate of George B. Wilson, deceased.

John I. Kent,
(Fd) Attorney for John C. Wilson.

Now, ~~August~~ November 22, 1941 the above case is settled and discontinued of record.

J. C. Kiebort Jr.
atty. for Plaintiff

Eugene Mackey
34

Dr C. M. Hazen
vs.
Frank M. Hull Administrator of the estate of Nellis Gray late of the City of Titusville, deceased
Entered May 29, 1940

Tax & entry (paid) $2.25

Summons in Assumpsit; Returnable to the first Monday of July, 1940.
"Hu." pages 92 & "G" 133

May 29, 1940, Statement of claim filed

And now, May 28, 1940, Eugene Mackey, Esq., appears for deft, waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, and served by the Sheriff and due return thereof made by him, and accepts service of the within Statement of claim. (See praecipe)

35 Eugene Mackey	Titusville City Hospital vs. Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, deceased Entered May 29, 1940 Tax entry (paid) $2.25	Summons in Assumpsit, Returnable to the first Monday of July next. A. No. 96; G. No. 123 May 29, 1940 Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for deft, waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, and served by the Sheriff, and due return thereof made by him. And further, accepts service of the within Statement of claim. (See praecipe)
36 Eugene Mackey	M. J. Gillen vs Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, deceased. Entered May 29, 1940 Tax entry (paid) $2.25	Summons in Assumpsit, Returnable to the first Monday of July, 1940 "A" No. 96; G. No. 123 May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq. appears for deft, waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, and served by the Sheriff, and due return thereof made by him. And further accepts service of the within Statement of claim. (See praecipe)

37 Eugene Mackey	J. M. Pennell vs. Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville deceased. Entered May 29, 1940. Tax & entry (paid) $2.25	Summons in Assumpsit. Returnable to the first Monday of July, 1940. Fa. fr. 96; G. fr. 123 May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq. appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff and due return thereof made by him. And further accepts service of the Statement of claim. (See praecipe)
38 Eugene Mackey	E. L. Cummings vs. Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, deceased. Entered May 29 1940 Tax & entry (paid) $2.25	Summons in Assumpsit. Returnable to first Monday of July, 1940 Fa. fr. 96; G. fr. 123 May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq'r, appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, and served by the Sheriff, and due return thereof made by him, and further does accept service of the Statement of claim. (See praecipe)

39 Eugene Mackey	J. F. Shannon vs. Frank W. Hull, Administrator of the estate of Nellie Gray late of the City of Titusville deceased ↑ Entered May 29, 1940 ~ Tax & writ (paid) # 225	Summons in Assumpsit Returnable to the first Monday of July, 1940 Am. fp. 96; G. fp. 123 May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for deft, waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff and due return thereof made by him and further does accept service of the statement of claim. (See praecipe)
40 Eugene Mackey	Dr. Paul Snyder vs. Frank W. Hull, Administrator of the estate of Nellie Gray late of the City of Titusville, deceased Entered May 29, 1940 ~ Tax & writ (paid) # 225	Summons in Assumpsit; Returnable to the first Monday of July, 1940 Am. fp. 97; G. fp. 124 May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and return thereof made by him. And further, does accept service of the Statement of claim (See praecipe)

41 Eugene Mackey	Titusville Bargain Store vs. Frank M. Hull, Administrator of the estate of Nellie Gray late of the City of Titusville, deceased Entered May 29, 1940 Tax & entry (paid) $2.25	Summons in Assumpsit. Returnable to the first Monday of July, 1940. Au. p. 97; G. p. 124 May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe)
42 Eugene Mackey	Titusville Supply Company vs. Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, deceased. Entered May 29, 1940 Tax & entry (paid) $2.25	Summons in Assumpsit. Returnable to the first Monday of July, 1940 Au. p. 97; G. p. 124 May 29, 1940, Statement of claim filed. And now, May 28, 1940 Eugene Mackey, Esq., appears for deft. waives the issuance of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued served by the Sheriff and due return thereof made by him. And further accepts service of the Statement of claim. (See praecipe).

43 Eugene Mackey	Quality Cash Stores vs. Frank W. Hull, administrator of the estate of Nellie Gray, late of the City of Titusville, deceased Entered May 29, 1940 ✓ Tax & entry (paid) $2.25	Summons in Assumpsit Returnable to the first Monday of July, 1940 Au. Tp. 97; Gp. 124 May 29, 1940 Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for deft, waives the issuing of the writ of summons and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further he does accept service of the Statement of claim. (See praecipe)
44 Eugene Mackey	The Titusville Herald, Inc., vs. Frank W. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, deceased Entered May 29, 1940 ✓ Tax & entry (paid) $2.25	Summons in Assumpsit, Returnable to the first Monday of July, 1940 Au. Tp. 97; Gp. 124 May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for deft, waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe)

45 Eugene Mackey	Hilma Westergren vs. Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, deceased. Entered May 29, 1940 – Tax Entry (paid) $2.25	Summons in Assumpsit. Returnable to the first Monday of July, 1940. Sm. fi. 97; Sh. fi. 124 May 29, 1940, Statement of claim filed And now, May 28, 1940, Eugene Mackey, Esq., appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe)
46 Eugene Mackey	J.B. Goldstein vs Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, deceased. Entered May 29, 1940 – Tax Entry (paid) $2.25	Summons in Assumpsit. Returnable to the first Monday of July, 1940. Sm. fi. 97; S. fi. 124 May 29, 1940, Statement of claim filed. And now, May 28, 1940 Eugene Mackey, Esq., appears for deft., waives the issuing of the writ of summons and agreed that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe)

47 Eugene Mackey	A. E. Coburn vs. Frank M. Hull, administrator of the estate of Nellie Gray, late of the City of Titusville, deceased. Entered May 29, 1940 Tax Entry (paid) # 225	Summons in Assumpsit. Returnable to the first Monday of July, 1940. Hn. p. 97; G. p. 124. May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey Esq., appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe)
48 Eugene Mackey	Norman Strawbridge vs Frank M Hull, administrator of the estate of Nellie Gray, late of the City of Titusville, deceased. Entered May 29, 1940 ✓ Tax Entry (paid) # 2.25	Summons in Assumpsit. Returnable to the first Monday of July, 1940. Hn. p. 97; G. p. 124. May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey Esq., appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe)

49 Eugene Mackey	Strauss & Benson vs. Frank M. Hull, administrator of the estate of Nellie Gray, late of the City of Titusville, deceased. Entered May 29, 1940 Tax & entry (paid) $2.25	Summons in Assumpsit; Returnable to the first Monday of July, 1940. Au. fa. 97; G. fa. 124. May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe)
50. Eugene Mackey	Dr. H. K. Frawley vs. Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville now deceased. Entered May 29, 1940 Tax & entry (paid) $2.25	Summons in Assumpsit; Returnable to the first Monday of July, 1940. Au. fa. 97; G. fa. 124. May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe)

51 Eugene Mackey	W. B. Proper vs. Frank M. Hull, Administrator of the estate of Nellie Gray late of the City of Titusville, deceased Entered May 29, 1940 ✓ Tax Entry (paid) $2.25	Summons in Assumpsit. Returnable to the first Monday of July, 1940 Au. fo. 97; G. fo. 124 May 29, 1940 Statement of claim filed. And now, May 28, 1940, Eugene Mackey Esq., appears for deft., waives the issuing of the writ of summons and agrees that ~~the said~~ this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe)
52 Eugene Mackey	Woodlawn Cemetery vs. Frank M. Hull, Administrator of the estate of Nellie Gray late of the City of Titusville, deceased Entered May 29, 1940 ✓ Tax Entry (paid) $2.25	Summons in Assumpsit. Returnable to the first Monday of July, 1940 Au. fo. 97; G. fo. 124. May 29, 1940 Statement of claim filed. And now, May 28, 1940, Eugene Mackey Esq., appears for deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further does accept service of the Statement of claim. (See praecipe)

SEPTEMBER TERM, 1940

53 Eugene Mackey	McCandrew Drug Store vs. Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, deceased Entered May 29, 1940 Tax & entry (paid) $2.25	Summons in Assumpsit, Returnable to the first Monday of July, 1940. Hu. f. 97; G. f. 124. May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for deft., waives the issuing of the writ of summons and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further does accept service of the Statement of claim. (See prædecipe)
54 Eugene Mackey	A. J. Robinson vs. Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, deceased Entered May 29, 1940 Tax & entry (paid) $2.25	Summons in Assumpsit, Returnable to the first Monday of July, 1940. Hu. f. 97; G. f. 124. May 29, 1940, Statement of claim filed. And now, May 28, 1940, Eugene Mackey, Esq., appears for Deft., waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further does accept service of the Statement of claim. (See praecipe)

55 Eugene Mackey	United Natural Gas Company vs. Frank M. Hull, administrator of the estate of Nellie Gray, late of the City of Titusville, now deceased Entered May 29, 1940 Tax & entry (paid) $2.25	Summons in Assumpsit; Returnable to the first Monday of July, 1940 Hn. p. 97; G. p. 124 May 29, 1940, Statement of claim filed. And now, May 28, 1940 Eugene Mackey, Esq., appears for defendant waives the issuing of the writ of summons and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further does accept service of the Statement of claim. (See praecipe).
56 Eugene Mackey	Pennsylvania Telephone Company vs Frank M. Hull, Administrator of the estate of Nellie Gray, late of the City of Titusville, now deceased Entered May 29, 1940 Tax & entry (paid) $2.25	Summons in Assumpsit; Returnable to the first Monday of July, 1940. Hn. page 97; G. p. 124. May 29, 1940. Statement of claim filed. And now, May 28, 1940 Eugene Mackey Esq., appears for the defendant, waives the issuing of the writ of summons, and agrees that this waiver shall have the same force and effect as though the said summons had actually been issued, served by the Sheriff, and due return thereof made by him. And further, does accept service of the Statement of claim. (See praecipe).

John A Boland

57

Arden D Mook for George P Brink, respondent
See Answer filed July 1, 1940

Petition of Earl L Hoyt and Florence M Hoyt
for
Satisfaction of two old mortgages, one given by Julia A Wing to C P Burdick, in 1894, recorded in M B "R" page 258, and the other given by Julia A Wing in 1892, to L A Marcy, Cashier in trust for The Farmers Savings Bank, recorded in M B "R-2", page 671
Entered May 29, 1940

Pro Slayton 4/3/40 5.00
Sheriff Smith " 5.00

May 29, 1940, Petition presented to Hon. O Clare Kent, P J, and filed.

Now, May 29, 1940, upon presentation of the within petition in open Court, and upon consideration thereof, on motion of J A Boland, Attorney for petitioners, it is ordered and decreed that the Sheriff of Crawford County give notice to all such know persons in the County whose addresses are known, by copy served personally or left at their place of abode, and to all parties out of the county, if any, and to all unknown parties, if any, by published notices in the Enterprise-News of Cambridge Springs, Pa, once a week for four successive weeks, which notices shall briefly state the facts set forth in this petition, and require the parties to appear in Court on Monday, the 1st day of July, 1940, at 9:30 A M, Service of said notices as aforesaid to be at least twenty days prior to that date, requiring any and all such persons to appear in Court on abobe date to claim payment for, or an account of either one of said mortgages, or any part thereof, and that in default of compliance with such rule and this order, or in the event of non-appearance of any person to answer this petition as to either one of said mortgages, this Court will enter a decree directing said land to be released and discharged from the lien of said mortgages.

(See petition filed)

Per Curiam.

May 29, 1940, Certified copy of petition & order issued to Sheriff.

July 1, 1940, Answer of George P Brink to petition filed.

July 1, 1940, Let the within answer be filed and a hearing to be set thereon for the purpose of taking testimony by agreement of the parties, the date of said hearing to be set for Sept 3, 1940, or as soon thereafter as it can be reached by the Court.

(See answer)

Per Curiam.

July 1, 1940, Sheriffs return of service and proof of publication filed, being endorsed on and attached to the original petition, respectively.

Now, Sept 6, 1940, this matter came on for hearing, and it appearing that George P Brink has entered an appearance and filed an answer to the petition, J A Boland, Attorney for petitioner, and Arden D Mook, Atty for George P Brink, being present in Court;

— Contd on margin —

The Court does now enter an order on said George P Brink to commence legal proceedings to enforce payment of his claim within thirty (30) days from this date.

Per Curiam.

(See paper filed)

Same day, Service accepted by Arden D Mook, Esq Atty for George P Brink.

Oct 7, 1940, Petition for final decree presented in open Court & filed.

Now, October 7, 1940, at ten o'clock A M, this matter presented for hearing by J A Boland Attorney for petitioner and it appearing from the record that it was set for hearing at 9:30 A M, July 1, 1940; that legal notice by advertisement of said hearing was given; and it further appearing that no person appeared to answer said petition, or to claim any payment for or on account of

continued on page 653—

Peters & Prather
58
F. Joseph Thomas
(See Statement of claim)

C R Mellor
vs
Helen Randall, Executor of the estate of John James Atkins, late of Woodcock Tp., deceased
Entered May 31, 1940

Tax & entry (atty pd) $2.25
Pro. Slayton 6-16-42. Pd. 6.25
Atty. 3.00

Summons in Assumpsit, Returnable to first Monday of July, 1940.
And now, May 31, 1940. Service of the summons in assumpsit issued in the within entitled case is hereby accepted, to be of the same force and effect as if delivered to the Sheriff, served personally on the defendant, and a due return thereof made.
(Egg) F. Joseph Thomas,
(See praecipe) Attorney for Defendant
April 28, 1941, Statement of claim filed, service accepted.
May 12, 1941 Affidavit of defense, raising question of law filed and service accepted.
And now, May 15, 1941, Rule to show cause granted why Plff should not give security for costs, returnable see Reg. proceedings to stay meanwhile. Per Curiam. (See paper file On Argt. List for May Term, 1941; No. 19.
May 27, 1941 By agreement of counsel, Rule to give security for costs is made absolute, and plaintiff is ordered to give security in the sum of $200/= within fifteen days from this date. Per Curiam.
Continued on page 635.

June 16, 1942. Recd. Two hundred sixty two & 53/100 Dollars, in full satisfaction of the debt, interest and costs due on this judgment, and the Prothonotary is hereby directed to mark it satisfied of record
Peters & Prather, Attys for Plff
By Roy S. Peters

Peters & Prather
59
F. Joseph Thomas
(Statement of claim)

Alice G. Atkins
vs
Helen Randall, Executor of the estate of John James Atkins late of Woodcock Township, deceased
Entered May 31, 1940

Tax & entry (pd by Atty) $2.25
Pro. S. 6-16-42. Pd. 2.75
Atty. 3.00

Summons in Assumpsit, Returnable to first Monday of July, 1940.
And now, May 31, 1940 service of the summons in assumpsit issued in the within entitled case is hereby accepted, to be of the same force and effect as if delivered to the Sheriff, served personally on the defendant, and a due return thereof made. (Egg) F. Joseph Thomas,
(See praecipe) Attorney for Defendant
April 28, 1940. Statement of claim filed, service accepted.
And now, May 28, 1941, on motion of plaintiff's attorneys and for want of an affidavit of defense, judgment is hereby entered against the defendant and in favor of the plaintiff in the sum of sixty-one & 50/100 dollars, with costs of suit.

Debt	$61.50
Atty's. Comm. included	2.50
Interest from May 1, 1941.	
Judgment	
Paul D. Slayton, Pro.	

June 16, 1942. Recd. Sixty three and 85/100 Dollars, in full satisfaction of debt, interest and costs due on this judgment, and the Prothonotary is hereby directed to mark it satisfied of record
Peters & Prather, Attys for Plff
By Roy S. Peters

R. - p 133; A. - p 83.

SEPTEMBER TERM, 1940

4. Joseph Thomas
60

Dorsey F. Stine
vs.
Helen Abbey Stine
Issued June 1, 1940

Tax & writ (paid) 7/6/40 3.00
Shff. Smith (paid) 1.60
Shff. Smith, alias (paid) 1.60
Shff. Smith, Proc. (paid) 11.15
Fred C. Kebort, Jr. Master 25.00
Pro. for Co. 10/11/40. Pd. 10.00
Atty. 3.00

Subpoena in Divorce
And now, June 1, 1940 Subpoena awarded, Returnable to the first Monday of July 1940
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: July 1, 1940, Non est inventus as to the within named respondent. So answers,
Harry B. Smith, Shff.

July 3, 1940, Alias Subpoena in Divorce issued, returnable to the first Monday of August next

Alias subpoena rec'd Aug. 5, 1940: Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff

Aug. 7, 1940, Order issued for publication of Sheriffs Proclamation in Divorce; returnable to next term.

And now, Sept. 9, 1940 -- I have made proclamation in the above entitled case, according to law, and caused the same to be published in the Enterprise-News, Cambridge Springs, Pa., a newspaper printed within my bailiwick, once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached.
So answers Harry B. Smith, Sheriff.

Oct. 11, 1940. Recd. $35.00 costs.
O. K. S.

And now, October 10, 1940, Fred C. Kebort, Jr. is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.
Per Curiam,

Now Nov. 19, 1940 received $25.00 Master Fee in above case
F. C. Kebort Jr.
Master

Nov. 19, 1940. Testimony and Report of Master filed.
On Argument List for Nov. Term, 1940, No. 32.

Nov. 29, 1940, After due consideration a divorce is decreed as prayed for.
Per Curiam.

-Decree.-

And now, to wit; November 29- A.D. 1940. this cause came on to be heard on libel & subpoena subsequent proceedings and evidence thereon duly taken and filed of record and it appearing to the court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed, That the said Dorsey F. Stine be divorced and forever seperated from the marital ties and bonds of matrimony heretofore contracted between her the said Dorsey F. Stine the libellant and the said Helen Abbey Stine the respondent; and that thereupon all and every the duties rights & claims accruing to either the said libellant or the said respondent at any time hereto fore in persuance of said marriage shall cease and determine: And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
per Curiam.

61

Joseph Weidner
vs.
Lyle B. Van Tassel &
Mildred Van Tassel
Entered June 3, 1940

Pro. Slayton (Plff) fee $2.25
Plff on Orig 2.25

Note: $4.00 included in debt

Of No 63 September Term, 1935 Apl. Dec.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of Four hundred forty-five and 65/100 Dollars, being the amount of debt, interest to June 15, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $445.65
Int. from June 15, 1940
Judgment
Paul D. Slayton, Proth'y

V. page 18.

May 15, 1945, This) judgment satisfied. (See paper filed.)

John H. Bozic
62
F. Joseph Thomas

Dr. V. G. Hawkey
vs.
Helen Randall,
Executrix of the last will of John James Atkins, late of Saegertown, Penn'a, deceased.
Entered June 3, 1940

Tax & entry (Atty) fee $2.25
Pro. for Co. 1-21-42 Rd. 1.00
Atty. 3.00

Summons in Assumpsit
Returnable to next term.
"R" page 33; "A" page 83.
Now, June 3, 1940, F. Joseph Thomas, Esq., appears for defendant and waives the issuance and service of a summons therein, and consents to the filing of said suit and entry thereof in the Judgment docket with the same force and effect as if a summons had been duly issued, legally served and regularly returned.
(See praecipe)

Nam Jan 21, 1942 The above case settled & discontinued & costs paid.
John H. Bozic
Atty for Plff.

Thomas & Kiebort

63

Nov. 13, 1940. Rec'd $35.00 costs. P. D. S.

Nov 21, 1940, Rec'd $25.00 Ans Masters fee, Max Blumenberg

nd the said libellant
respondent shall
erally & at liberty to
any again in like
anner as if they had
ver been married.
s is further ordered
decreed that the
stody of minor
ildren Roland and
loria Byham is
warded to the
ibellant Elva Byham
per Curiam.

Dec 26-1940, received of Wm. Slaytin 90¢ refund of costs
Thomas & Kiebort

And now, Nov. 19, 1940, the within motion is granted and the fees of Robert J. Kent, guardian ad litem are fixed at $15.00.
Per Curiam.

Elva Byham a minor, by her mother and next friend, Cordelia Hills
vs.
Robert Byham
Issued June 3, 1940

	#
Tax & writ (paid 6/13/40)	3.00
Shff. Smith (paid)	4.10
Shff. Smith, alias (pd)	1.40
M. B. Maloney, Master	25.00
Brs. for Co. 11-14-40 Pd.	9.10
attd.	3.00
Robert J. Kent, Esq. ad litem	15.00

Subpoena in Divorce and for custody of minor children, Roland two years of age and Gloria seven weeks of age.

And now, June 3, 1940, Subpoena awarded, Returnable to the first Monday of August, 1940.
Per Curiam,
O'Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 5th day of June, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers Harry B. Smith, Sheriff.

And now, Sept. 12, 1940, On motion in open Court, Robert J. Kent, Esq., is appointed Guardian ad litem of Robert Byham, respondent. Per Curiam. (See paper filed)

Sept. 12, 1940, Alias Subpoena in Divorce issued, returnable to First Monday of November next.

Alias Subpoena returned: Served the within alias Subpoena in Divorce on Robert J. Kent, Guardian ad litem for Robert Byham, the Respondent, personally, on the 23d day of Sept., 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.
So answers Harry B. Smith, Sheriff.

And now, Nov. 13, 1940, on presentation of within motion M. B. Maloney, Esq., is appointed Master to take testimony in above case. Per Curiam.

Nov. 21, 1940, Testimony and report of Master filed.
On Argt. List for Nov. Term, 1940, No. 33.

Nov. 29, 1940, After due consideration a divorce is decreed as prayed for, the respondent is ordered to pay the cost of this proceeding and the custody of minor children, Roland and Gloria Byham, is awarded to the libellant, Elva Byham. Per Curiam.

-Decree-

And now to-wit; November 29- A.D. 1940. this cause came on to be heard on libel suppoena. subsequent proceedings, and evidence thereon duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed. That the said Elva Byham be divorced and forever seperated from the mutual ties and bonds of matrimony heretofore contracted between her the said Elva Byham as the libellant and the said Robert Byham the respondent; and that there upon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time hereafter in pursuance of said marriage shall cease and determine.
(Cont. on margin)

W. J. Sirdevan 64 Kent & Kent	Leila Iola Brady vs. Edward Anthony Brady Issued June 3, 1940 # Tax & writ (paid) 3.00 Shff. Smith	Subpoena in Divorce and for the custody of two minor children of the parties, to wit, Shirley Jean Brady, born Aug. 7, 1933, and Patricia Marilyn Brady, born Oct. 6, 1935 And now, June 3, 1940, Subpoena awarded, Returnable to first Monday of August, 1940. Per Curiam, O. Clare Kent, P.J. July 26, 1940, Kent & Kent, Esqs. appear for respondent. (See paper filed)

July 27, 1940, Answer of respondent filed.

Walter J McClintock 65	Petition of Commissioners of Crawford County for approval of private sale to Roland Boyle and Lillian Boyle, of a lot of seated land in Summit Township, which had been assessed in the name of J B Ash and sold to said Comrs at Treasurer's sale for taxes on first Monday of Aug 1933 Entered June 3, 1940 Pro. Clayton $5.00 Trib. Pub. Co. advt. 10.50	Preliminary Order Now, June 3, 1940, upon presentation and consideration of the within petition, the court fixes the first Monday of July, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford (See petition) Per Curiam. July 1, 1940, Proof of publication of notice filed. Final Order: And now, July 1, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Roland Boyle and Lillian Boyle, his wife, of Conneaut Lake, Pa., a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, O. Clare Kent, President Judge. (See paper filed)

66

In re Appointment of a Commissioner for Crawford County to fill the vacancy caused by the death of J.L. Connell

Entered June 5, 1940

Pro Slayton $3.00

Order of Court

It appearing by certificate of Wesley G. Reitze and Harry L. Wentworth, surviving Commissioners of Crawford County, filed with the Court on June 3, 1940, that there is a vacancy in the office of County Commissioner for Crawford County, Pa., caused by the death of J.L. Connell, a Republican member of said Board, he having died on Thursday, May 30, 1940.

Wherefore, now, June 5, 1940, in compliance with legal and constitutional requirements, Mrs. J.L. (Jack) Connell is hereby appointed County Commissioner in and for Crawford County, Pa., to fill the vacancy on said Board of Commissioners caused by the death of said J.L. Connell, as above set forth, for the duration of the unexpired term.

Per Curiam,
O Clare Kent,
President Judge of the Court of Common Pleas.

(See paper filed)

SEPTEMBER TERM, 1940

Dickson Andrews

67

Perry M. Clemens and Jennie Clemens, his wife,
vs
Jessie Lewis Brawley and Harry Brawley, her husband
Issued June 6, 1940.

Tax writ (attyfd) $3.50
Rec. & mock .50
Shff. Smith (paid) 9.70
Pro. Clayton (paid by Plff) 2.50
Atty 3.00

Sci. Fa. sur Mortgage recorded in Mortgage Book Vol. 182, page 164. Returnable to the first Monday of July next.

June 6, 1940, Statement and affidavit of deft. and affidavit as to real owner filed.

Same day, Statement of Claim filed. Copy certified. 2d copy certified.

June 7, 1940, Affts. of residence of defts. filed.

June 19, 1940. Writ returned: Served the within Sci. Fa. Sur. Mortgage, together with Copy of Statement of Claim, personally, on Jessie Lewis Brawley, by serving Harry Brawley, he being an adult member of the family, namely, her husband, at their residence in Summerhill Township, Crawford County, Pa., on June 10, 1940, at 11:30 O'clock A. M., by handing to him a true and attested copy of the within Sci. Fa. Sur Mortgage, together with Copy of Statement of Claim, and making contents of same known to him. Also served the within Sci. Fa. Sur Mortgage, together with copy of Statement of Claim, personally, on Harry Brawley, at his residence in Summerhill Township, Crawford County, Pa., on June 10, 1940, at 11:30 O'clock A. M., by handing to him a true and attested copy of the within Sci. Fa. Sur Mortgage, together with Copy of Statement of Claim and making contents of same known to him.

So answers, Harry B. Smith, Sheriff.

And now, July 17, 1940, On motion of plaintiffs attorney, judgment is entered in favor of plaintiffs and against the defendants for want of an affidavit of defense, and the same liquidated at the sum of One Thousand one hundred forty four and 50/100 Dollars, with costs of suit.

(See paper filed)

Debt $1144.50
Int. from July 11, 1940
Judgment
Paul D. Clayton, Pro.

Br. pages 122+131.

Lev. Fac. to No. 46 Sept. Term, 1940

Sat. fee Paid see Lev. Fac.

June 5, 1941, Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Dickson Andrews
Atty for Plaintiffs

Stuart A. Culbertson 68	E. L. Ward vs Lester Barbour and Glenn Wilson, Defts. and J. Guy Smith, Agent, Garnishee. Issued June 7, 1940 Tax & writ (paid) $2.75 Stff. Smith (paid) 2.50	Of No. 256 May Term 1940 D.S.B. Attachment Execution. Returnable to first Monday of July, 1940. To attach all and singular the goods and chattels, rights and credits, money and properties of the defendants, in whose hands the same may be, and especially in the hands of J. Guy Smith, Agent, and to summon him as garnishee. Writ returned: Now, July 20, 1940. No service as to Lester Barbour and Glenn Wilson, Defts. and J. Guy Smith, agent, Garnishee. So answers Harry B. Smith, Sheriff.

J. A. Boland

69

Trustees of Trusteed Assets of the Spring-First National Bank of Cambridge Springs, Pa.

vs.

Gerald W. Canfield Deft. and R. L. Whipple, Trustee in Bankruptcy of estate of Gerald W. Canfield, Garnishee.

Issued June 7, 1940.

Tax & writ (Atty fee) 2.75
Shff Smith (paid) 2.90

Of No. 405 November Term, 1939, D.S.B.
Attachment Execution
Returnable to first Monday of July, 1940.

To attach all and singular the goods and chattels, rights and credits, money and property of the defendant in whose hands the same may be and especially in the hands of R. L. Whipple, Trustee in Bankruptcy of the estate of Gerald W. Canfield, and to summon them as garnishees.

Writ returned: Attached as within commanded the goods, chattels, moneys and credits and effects of the defendant, Gerald W. Canfield, in the hands R. L. Whipple, Trustee in Bankruptcy of estate of Gerald W. Canfield, Garnishee, on the 10th day of June, 1940, at 2:01 o'clock P. M., and declared in the presence of credible witnesses of the neighborhood that the said goods, moneys, estate and effects were attached as the goods and effects of the defendant in the hands of the said Garnishee, and at the same time summoned the said named garnishee, by handing a true and attested copy of the within writ to him personally at No. 360 Center Street, City of Meadville, Pa., and making contents of same known to him. No service as to Gerald W. Canfield, defendant.

So answers

Bert A. King, Deputy Shff
Harry B. Smith, Sheriff

L. Pat McGrath
Thomas F. Kiebort
Kenneth W. Rice
1-16-46. P.D.S.

70

Robert A. Mood
Elmer A. Culbertson
6/29/40. P.D.S.

E. J. Fielding, Trustee, ad litem for E. J. Fielding and Eleanore A. Fielding, and E. J. Fielding, individually

vs

Township of Rome, a municipal corporation.

Issued, June 10, 1940

	#	
Tax & writ (pd 7/10/40)		2.00
Sheff. Smith (paid)		10.10
Pro. to petition & order 6-29-42.		2.50
A. V. Caldahan, Stenog.		21.20
Pro. to appeal 6-29-42.		4.25
Pro. Dayton, appeal to S.C.		63.00
Expense Mat.		2.75
S.C. Costs, appellants		12.00
Atty's S.C.		3.00
Diffs. Bill of costs		44.70

Summons in Trespass, Returnable to first Monday of July, 1940.

June 10, 1940, Statement of claim filed and copy certified.

June 10, 1940, Petition of plaintiffs for appointment of a trustee, filed.

And now, to wit, this 10th day of June, 1940, upon consideration of the annexed petition and on motion of attorney for petitioner, it is hereby ordered that the prayer thereof be granted, and that E. J. Fielding be and he is hereby appointed Trustee ad litem for E. J. Fielding and Eleanore A. Fielding, his wife, to institute and prosecute a suit in trespass against Township of Rome to recover damages for the wrongful death of Richard Lee Fielding, and to account therefor in due course, or when required so to do by this Court.

Per Curiam,
O. Clare Kent, P.J.

(See petition)

July 12, 1940: Writ returned: Served the Township of Rome a municipal corporation, by handing, personally, on June 11, 1940, at 2:55 O'clock P.M., a true and attested copy of the within Summons, together with Copy of Statement of Claim, to James H. Paul, Secretary & Treasurer of the Township of Rome, at his residence in Rome Township, Crawford County, Pa., and making contents of same known to him.

So answers, Harry B. Smith, Sheriff.

On Fall Trial List, 1940 No. 37.

On Winter Trial List, 1941, No. 19.

Janry 6, 1941, Continued because of rule to show cause this day granted.

Now, Janry 9, 1941, upon consideration of petition of Plffs presented in open Court, a rule is hereby granted to show cause why plaintiffs should not have leave of Court to file with the Township of Rome, defendant nunc pro tunc as of December 1, 1939, the notice required by Act of 1937, P.L. 2547, and the suit filed at No. 70 Sept. Term, 1940, be permitted to stand and proceed to trial. Returnable sec. reg.

Per Curiam.

(See paper filed)

Same day, Service accepted by Defts attorney.

Jan. 20, 1941, Answer to rule filed.

On Argt. List for Feby. Term, 1941; No. 15. Feby 25, 1940, Continued

Nov. 12, 1941, Testimony filed.

On Argt. List for Nov. Term, 1941, No. 15. Nov. 25, 1941, Argued.

* April 8, 1942. Sur Rule to file With the Township of Rome, Defendant, Nunc Pro Tunc as of December 1, 1939. The Notice Required by the Act of 1937, P.L. 2547, And the Suit filed At No. 70 September Term, 1940, Be Permitted To Stand And Proceed To Trial, Opinion filed.

Order

And now, April 8, 1942, it is ordered that plaintiffs' petition for leave to file a formal written notice of said accident with the Township of Rome, nunc pro tunc, and that the suit entered be permitted to stand and proceed to trial be dismissed and the rule to show cause granted thereon be discharged at the cost of petitioners.

Exception noted and sealed for plaintiff.

Per Curiam,
O. Clare Kent
President Judge

* (For entries of April 8, 1942 see margin of this page)

June 29, 1942, Certiorari on appeal by plffs. to the Supreme Court filed, returnable to 5th Monday of Nov. 1942

Numbered in S.C. 225 Jan Term, 1942

June 30, 1942, Proof of service of notice of appeal filed.

Continued on page 536.

SEPTEMBER TERM, 1940

Stewart A. Culbertson 71	J. R. Holland vs John Skinner Issued June 10, 1940 Tax & writ (Atty pd) $3.00 Shff Smith (paid) $7.70	Replevin for 1934 Chevrolet sedan, engine number 4678025, manufacturer's number 12 DA 1056154, title number A 392001; of the value of $175.00; Returnable to the first Monday of July, 1940 June 10, 1940 Affidavit of value and narr filed. June 10, 1940, Bond of Plff, with Oliver Andrews as surety, in the sum of $350.00, approved & filed. June 19, 1940: Writ returned. Replevied as within commanded June 12, 1940, at 11:30 O'clock A.M., all of the within described goods and chattels and summoned John Skinner, the within-named defendant, by handing to him personally at his residence in Greenwood Township, Crawford County, Pa., June 12, 1940, a true and attested copy of the within writ and making known to him the contents thereof. And on June 13, 1940, goods and chattels so replevied were delivered to the defendant. So answers, Harry B. Smith, Sheriff.

Herbert A Mook

72

7/9/40 P.D.S. Pro.

1-16-41. Rec'd docket fee $12.00 from P.D.S. Pro. Herbert A Mook atty for Pltf.

William Spicher, a minor, by Barnie Spicher, his Guardian, and Barnie Spicher, in his own right,
vs
Fred Rowland
Issued June 10, 1940

Tax Writ pd. 6/12/40	$2.00
Stff Smith (pd)	4.30
Pro. for Co. 1-16-41 paid	3.10
Atty.	3.00

Summons in Trespass, Returnable to first Monday of July, 1940.

June 10, 1940 Statement of claim filed. Copy certified.

On Winter Trial List, 1941, No. 36.

Writ retd: Served the within summons together with copy of statement of claim on Fred Rowland by serving Pauline Rowland she being an adult member of the family namely his wife, on June 13, 1940, at 2:35 o'clock P.M., at their residence No. 134 Wadsworth Ave Meadville, Pa, by handing to her a true & attested copy of the same, and making contents of the same known to her.

So answers

Harry B. Smith, Sheriff

And now Jan 16, 1941. the within case is settled and discontinued of record.

Herbert A Mook atty for Pltf.

att'd Paul D. Slayton Pro.

SEPTEMBER TERM, 1940

Herbert A Mook 73 Praecipe c-27-40	Earl H. Tingley vs Crawford County Mutual Insurance Company. Issued June 10, 1940 # Tax & writ paid 6/12/40 — 2.00 Shff Smith (paid) 3.20 Pro. Clayton Travel for Dis 3.50 Atty 3.00	Summons in Assumpsit, Returnable to first Monday of July, 1940. Now, July 1, 1940, A rule is granted upon the defendant to show cause why it should not permit the plaintiff to inspect the insurance policy issued to the plaintiff by the defendant company covering his property in Woodcock Township, Crawford County, Penna. (See paper filed) Per Curiam. Writ returned: Served the within summons on the Crawford County Mutual Insurance Company, the within named defendant Company, by handing personally on June 17, 1940, at 3:35 o'clock P.M., a true and attested copy of the within writ to John E Reynolds, President of said defendant company, at R.360 Center Street, City of Meadville, Crawford County, Pa., and making known to him the contents thereof. So answers Harry B. Smith, Sheriff. On Arg. List for Nov. Term, 1940, No. 3. Nov. 25, 1940, Rule discharged. Per Curiam. June 14, 1941 Statement of claim filed. Service accepted. Aug. 29, 1940, Affidavit of defense filed Service accepted by Pltf's atty.

J. Perry Eckels 74	Department of Public Assistance of the Commonwealth of Pennsylvania, vs N. R. Metz, Administrator of the estate of Elizabeth Watson deceased. Entered June 10, 1940 Tax .50 Pro. Slayton 6/20/42. Paid 1.75	Summons in Assumpsit, Returnable to first Monday of July, 1940 W. fi. 58; M. fi. 196 June 10, 1940, Statement of claim filed. Same day "I hereby appear in the within case and waive the issuance of a summons, and accept service, as fully and effectually as if a summons were duly issued to the Sheriff, and regularly served by him upon me, hereby releasing all errors, and I also accept service of a copy of the Statement of claim." (Sgd) N. R. Metz, Administrator of Elizabeth Watson, deceased

July 3, 1945, Am. Sci. fa. to No. 108 Sept. Term, 1945.

SEPTEMBER TERM, 1940

F. Joseph Thomas 75	Betty L. Staley vs. Frank A. Staley Issued June 10, 1940 Tax & writ paid 7/9/40 # 3.00 Shff. Smith (paid) 3.80	Subpoena in Divorce And now, June 10, 1940, Subpoena awarded, Returnable to the first Monday of August, 1940 Per curiam, O. Islare Kent, P. J. Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 8th day of July, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above So answers, Harry B. Smith, Shff.

F. Joseph Thomas

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Sept. 16, 1940, Rec'd $33.10 costs. P.B.K

9-20-1940 - Rec'd $25.00 master's fee. Donald C. Thompson.

Jean M. Reed, by her father and chosen guardian Lloyd E. Mead

vs

LeRoy T. Reed.

Issued June 10, 1940

	$
Tax & writ paid 7/9/40	3.00
Stff. Smith (paid)	3.20
Donald C. Thompson, Master	25.00
Pro. for Co. 9-17-40. Pd.	8.10
Atty.	3.00
Pro. 3/22/43. Pd.	1.00

Subpoena in Divorce

And now, June 10, 1940 Subpoena awarded, Returnable to the first Monday of August, 1940

Per Curiam,

O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 18th day of June, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above

So answers Harry B. Smith, Sheriff

And now, September 16, 1940, Donald C. Thompson, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court. Per Curiam.

Sept. 20, 1940. Testimony and Report of Master filed.

On Arg. List for Sept. Term, 1940, No. 44.

Now Sept. 28, 1940 After due consideration a divorce is decreed as prayed for and the respondent, LeRoy T. Reed, is ordered to pay the cost of this proceeding.

Per Curiam,

O. Clare Kent, P.J.

Decree. And now to-wit: September 28 A.D. 1940, this cause came on to be heard on libel subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court the causes set forth in said libel are true it is by the Court ordered, and adjudged and decreed, That the said Jean M. Reed be divorced and for ever separated from the Nuptial ties, and bonds of Matrimony heretofore contracted between her the said Jean M. Reed the libellant and the said LeRoy T. Reed the respondent; and that thereupon each and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; And the said libellant and respondent shall severally have liberty to marry again in like manner as if they had never been married. Per Curiam.

March 4, 1943 The libellant gives notice of her election to retake and to resume her maiden name of Jean Marie Mead (See paper filed.)

SEPTEMBER TERM, 1940

John C. Spencer
77

Frank H. Curtis
vs.
Mary Hood Curtis
Issued June 11, 1940.

Tax & writ (paid) $ 3.00
Shff. Smith (paid) 1.60
Shff Smith, alias (pd) 1.60
Shff Smith proc (paid) 1.15
Ralph J. Joyce, Master 25.00
Pro. for Co. 11-7-40. Pd. 10.00
Atty. 3.00

Nov. 7, 1940. Recd. $35.00 costs
P. D. S.

Nov. 12, 1940 Paid $25.00
Master's Fee. Ralph J. Joyce

Subpoena in Divorce.
And now, June 11, 1940, Subpoena awarded, Returnable to the first Monday of August, next.
Per Curiam,
O. Blare Kent, P.J.

Subpoena retd: Aug. 5, 1940, Non est inventus as to the within named respondent. So ans. Harry B. Smith, Shff.

Aug. 5, 1940, Alias Subpoena in Divorce, issued, returnable to next term.

Alias Subpoena retd: Sept. 9, 1940, Non est inventus as to the within named respondent. So ans. Harry B. Smith, Shff.

Sept. 9, 1940, Order issued for publication of Sheriff's proclamation, returnable to first Monday of Nov. next.

And now, Nov. 4, 1940 I - - - have made proclamation in the above entitled case according to law and caused the same to be published in the Connellsville Courier, a newspaper printed within my bailiwick, once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached. So answers Harry B. Smith, Sheriff.

And now, November 4th, 1940, Ralph J. Joyce, Esq., is appointed Master as prayed for. Per Curiam.

Nov. 12, 1940. Testimony and Report of Master filed.

On Arg'r. List for Nov. Term, 1940, No. 34.

November 28, 1940 After due consideration a divorce is decreed as prayed for. Per Curiam.

—Decree—

And now to wit: November 28, A.D. 1940 this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record and it appearing to the court that the causes set forth in said libel are true it is by the court ordered adjudged and decreed. That the said Frank H. Curtis be divorced and forever seperated from the nuptial ties and bonds of matrimony heretofore contracted between him the said Frank H. Curtis the libellant and the said Mary Hood Curtis the respondent and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine.

And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Charles B. Stegner 78 McDonald & Kraffert	William J. Robinson and Florence Robinson Rice vs. Marguerette S. Locke administratrix of the estate of Annie H. Shannon late of Titusville, Crawford County, Pa., deceased Entered June 12, 1940 Tax & writ pd 7/13/40-2.25	Summons in Assumpsit. Returnable to the first Monday of July, 1940. L. page 104, Sh. page 142. And now, June 7, 1940, Service of Summons in Assumpsit issued in the within entitled cause is hereby accepted to be of the same force and effect as if delivered to the Sheriff, served personally on the defendant, and a due return thereof made. Signed McDonald & Kraffert, By Edward J. McDonald (See praecipe)

SEPTEMBER TERM, 1940

Stuart A. Culbertson 79	Mary Petruso vs. Sandy Petruso Issued June 13, 1940 Tax & writ (paid) $3.00 Shff. Smith (pd.) 3.20	Subpoena in Divorce and for the custody of Marian Petruso, aged fifteen months. And now, June 13, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to the first Monday of August, 1940. Per Curiam O. Clare Kent, P.J. June 19, 1940: Writ returned: "Served the within Subpoena in Divorce on the Respondent, personally, on the 17th of June, 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof as appears from annexed Affidavit. No answers, Harry B. Smith, Sheriff.

Herbert A. Mook	Hanna E. Flint	Summons in Trespass,
80	vs	Returnable to the first Monda
F. Joseph Thomas	Teressa Geiger and	of July, 1940.
	Frank Geiger	June 20, 1940, Statement of claim
	Issued June 13, 1940	filed, and copy certified.
		And now, June 26, 1940, F. Joseph
	Tax & writ (pd 6/26/40) $2.00	Thomas, Esq. appears for Defts.
	Stiff Smith (paid) 6.60	(See paper filed)
	Pro. Slayton 7.85	July 1, 1940, Petition of Defts. for
	Atty 3.00	more specific Statement of Clai
	Defts Bill of Costs 51.00	presented in open Court and file
		And now, July 1, 1940, upon consi
		eration of the foregoing petition,

and on motion of F. Joseph Thomas, attorney for the defendants, the Court grants a rule on the plaintiff to show cause why she should not fil a more specific statement of claim. All proceedings to stay meanwhile. Returnable see leg and servi

(See paper filed) Per Curiam.

On Argt. List for Sept. Term, 1940, No. 22.

Sept. 23, 1940, by agreement of Counsel, the rule is hereby made absolute, and it is also agreed that more specific statement of claim be filed within fifteen days from this date. Per Curiam.

Nov. 21, 1940, Motion to amend Statement of claim filed and service accepted by Defts. Atty.

Summons returned Mar. 27, 1941, with return of service on Defts. endorsed. See return at length on wri

July 12, 1941, Affidavit of defense filed. Service accepted

On Fall Trial List, 1941, No. 6.

Oct. 7, 1941 Jury selected and sworn, plaintiffs evidence

October 7, 1941 Plaintiffs motion for voluntary non suit allowed. Per Curiam

F. page 106 Judgment.

Pay't D. Slayton, Pro

Oct. 10, 1941, Defts. bill of costs, 51.00, filed.

SEPTEMBER TERM, 1940

Stuart A. Culbertson 81	Andrew W. McBride vs. L. W. Moriarty Issued June 13, 1940 Tax writ (paid) $3.00 Stff. Smith	Foreign Attachment in Trespass. Returnable to the first Monday of July, 1940. Bail required in the sum of $500.00 To attach goods, chattels, moneys, rights, credits and effects, lands and tenements of the said defendant, in the hands, possession and custody of the said defendant L. W. Moriarty and Chris Palmer as garnishee. June 13, 1940, Affidavit in Foreign Attachment for a tort, filed.

nk year Dec 17, 1942
I hereby sell assign
transfer and set over
nto Glen L Palmer
f Linesville Pa
his suit with full
ower and authority
me and collect
them and to
ntorms suit
roceding to endmain
Andrew W. McBride

John H. Bozic 82	Petition of Edna Burnley for the appointment of a Guardian for Myron W. Burnley of the Borough of Cambridge Springs as a person of weak mind Entered June 13, 1940 Pro. Slayton (7/5/40 Paid) 5.00 ~~Pro. Slayton, postage 2.50~~	June 13, 1940, Petition presented in open Court and filed. "Bu." page 108. Now, to wit, this 13th day of June A. D. 1940, upon presentation and consideration of the foregoing petition, a hearing is fixed on the within petition for the first day of July, 1940, at 9:30 o'clock A. M., It is ordered that ten days written notice thereof be given to all the parties in interest by service on them of a copy of the petition and order of Court. Per Curiam, O. Clare Kent, P. J. July 1, 1940, Petition of Edna Burnley for leave to withdraw her petition for appointment of Guardian heretofore filed, and to discontinue proceedings,- filed in open Court Now, July 1, 1940 upon presentation of the above and foregoing petition, it is hereby ordered, adjudged and decreed that all further proceedings in this matter be stayed and discontinued. (See paper filed) Per Curiam.

John I. Kent
vs
Leland J. Culbertson

9/23/42, received satisfaction of within judgment, interest, cost & fee thereto, is authorized satisfy of record.
John I. Kent

Dec. 31, 1941, acceptance of service of notice of motion for reconsideration of this case filed.

Now, Dec. 31, 1941, upon consideration of the foregoing, an order for reconsideration upon the reasons herein assigned, is hereby refused, for the reason that all questions raised on the certiorari have been disposed of by the Court in our opinion of December 12, 1941, Exception noted for the defendant.

Per Curiam
(See paper filed)

Feb. 25, 1942, Certiorari on appeal by deft. to the Superior Court filed, returnable to 2d Mon. of April next No. 281 April Term, 1942 in said Court.

Aug. 7, 1942 Record rec'd and remittitur and certified copy of opinion by Keller, P.J. filed.

July 23, 1942 Judgment affirmed. Keller, P.J.

Fred Battles
vs
M. A. Nesbitt

Issued June 14, 1940
9-23-42 50 Paid
Tax & writ ($3.00 paid) 3.50
Shff. Smith (paid) 3.20
Costs on Trans 10.70
Pro. Slayton 9/23/42 paid 5.50
Atty 9/23/42 Paid J.O.K. 3.00
Pro. Postage S.C. 9/23/42. Pd. .70
Appeal Paid 3.00
Atty. S.C. 9/23/42 Paid J.O.K. 3.00
Pro. S. 9-23-42. Pd. 3.00

Certiorari to Dominick Lemme Alderman. Returnable to first Monday of July, 1940.

June 14, 1940, Affidavit of M. A. Nesbitt, deft. filed.

June 14, 1940 Recognizance of M. A. Nesbitt and W. W. Loper, in the sum of $125.00, taken by the Prothonotary and filed.

And now, June 17, 1940, I hereby accept service by copy of the Affidavit of Certiorari in the above entitled case.
Signed John I. Kent
(See paper filed) Attorney for Plaintiff

June 28, 1940, Return of Alderman filed with copy of writ of Certiorari, transcript, etc., annexed.

July 9, 1940, Exceptions by M. A. Nesbitt, defendant to the record and proceedings before the Alderman, filed.

Sept. 16, 1940, Sheriffs return of service of Certiorari upon Alderman filed.

On Argt. List for Nov. Term, 1940, No. 13

Now, Nov. 26, 1940, upon petition of plaintiff presented in open Court, rule granted upon M. A. Nesbitt the defendant, to show cause why the transcript and return of service of Constable filed in the above entitled case, should not be amended. Per Curiam. (See paper filed)

Nov. 26, 1940, Continued by reason of Rule to amend record, this day granted. Per Curiam.

Dec. 20, 1940, Answer of Mark A. Nesbitt, Deft. to rule to amend transcript, filed. Service accepted by Plff's. Atty.

On Argt. List for Feby. Term, 1941, No. 6.

April 18, 1941, Testimony upon rule to amend trans. filed

Now, May 9, 1941, the rule to show cause why the transcript and return of service of the Constable should not be amended, is made absolute, and the record is remitted to Dominick Lemme, alderman, with direction to correct the same to conform to the facts, and return the same to this Court within thirty days from this date.

Per Curiam,
O. Clare Reed, P.J.

(See opinion of Court filed)

On Argt. List for Nov. Term, 1941, No. 18. Nov. 25, 1941, Argued

Now, December 12, 1941, The reasons submitted for consideration are dismissed, the writ of certiorari discharged at cost of defendant, and the action of the Alderman is sustained. Exception is noted and sealed for defendant.

Per Curiam,
O. Clare Reed, P.J.

(See opinion of Court filed)

"N" page 73.

Judgment
Paul D. Slayton, Prothy.

F. Joseph Thomas 84 Thomas Futhey 7/12/40. P. D. $.	Weldon E. Davis and Bessie Davis vs. Albert Rice Issued June 15, 1940 Jay & writ (pd 6/17/40) $2.00 Shff Smith (paid) 3.90 Pro. for Co. 12/28/40. Pd. 4.95 Atty. 3.00	Summons in Trespass, Returnable to first Monday of July next. July 16, 1940, Statement of claim filed, copy certified, service accepted. Writ returned: Served the with summons on Albert Rice, by handing to his wife Nellie D. Rice an adult member of the family at their residence on Limber Road W. Mead Tp., Crawford County, Pa, on June 26, 1940, at 5:10 o'clock P.M., a true and attested copy of the within summons, and making contents of same known to her. So answers Bert A. King, Deputy Sheriff Harry B. Smith, Sheriff.

On Fall Trial List, 1940. No. 42,
On Winter Trial List, 1941, No. 24.

And now December 28, 1940 this case is settled
ended and discontinued

F. Joseph Thomas
attorney for Plaintiffs

SEPTEMBER TERM, 1940

J. E. Bossard
85
Thomas & Kibbe
to Gelvin, Jackson
& Starr, Garnishees
attest: J.H.M. 9-13-40.

Hugh J. Mosbacher
vs.
Harold Aldrich, also
known as Harold
Norman Aldrich,
Deft., and Fidelity
and Guaranty Fire
Insurance Com-
pany, of Baltimore,
Maryland Gelvin,
Jackson and Starr
of Meadville, Pa.,
agents for said in-
surance company,
Garnishees.
Issued June 18, 1940

	$
Tax & writ (Atty pd)	2.75
Shff Smith Paid	3.20
Atty. for Garnishee	10.00
Atty.	3.00

Of No. 298 May Term, 1940, D.S.B.
Attachment Execution,
Returnable to next term.
Writ Rec'd. Attached Garnishees commanded the goods, chattels, moneys, and credits and effects of the Defendant Harold Aldrich, also known as Harold Norman Aldrich in the hands of Fidelity and Guaranty Fire Insurance Company, of Baltimore, Maryland Gelvin Jackson & Starr of Meadville Pa. agents for the Fidelity and Guaranty Fire Insurance Co. of Baltimore Maryland Garnishees. and ~~on the~~ 9 day of June 1940 at 3:30 o'clock P.M. and declare in presence of credible witnesses of the neighborhood that the said goods, moneys estate and effects were attached as the goods and effects of the Defendant in the hands of the said Garnishees, and at the same time summoned to the said Fidelity and Guaranty Fire Insurance Company, of Baltimore Maryland and Gelvin Jackson & Starr of Meadville Pa. Agents for the Fidelity & Guaranty fire Insurance Company, of Baltimore Maryland & E. B. Starr Member of the firm of Gelvin Jackson & Starr at their office Crawford County Trust Co. Bldg. Chestnut & Market Sts. City of Meadville as Garnishees. by handing a true and attested Copy of the writ with the Writ to Crawford County, Pa. and making contents of same known to him.
So Service as to Harold Aldrich, also known as Harold Norman Aldrich defendant
So answers Harry B. Smith Sheriff.

And now January 13th 1941, by direction of the plaintiff I hereby direct the Prothonotary to discontinue all further proceedings in the within attachment execution.
J. E. Bossard,
Atty for Plaintiff

John H. Bozic 86	Mrs. Edna L. Wyatt vs R. L. Eves Entered June 20, 1940 Pro. Slayton (Atty fee) $2.25 Atty 3.00	Of No. 442 May Term, 1935, D.S.C. Amicable Scire Facias sur Judgment It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of One thousand five hundred seventy-nine and 75/100 Dollars, being the amount of debt, interest to June 1, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note. Debt $1579.75 Interest from June 1, 1940 E page 42 Judgment Paul D. Slayton, Pro

J. Percy Eckels

87

eland J. Culbertson

Costs Continued.
Pro. Clayton since 5.25
Atty 3.00

Department of Public Assistance of the Commonwealth of Pennsylvania
vs.
Mary Jagiolka
Issued June 20, 1940
$
Tax 50 1.50a writs 8/1/40 @ 1.50 2.00
Stff. Smith paid 1/5 1d personally on Mary Jagiolka, Township, Crawford 2:15 o'clock P.M. by handing to her a true and attested copy of the within Summons togather with copy of Statement of Claim and making contents of same known to her.
So answers Bert A. King Deputy S.
Harry B. Smith,
Sheriff.

Summons in Assumpsit
Returnable to first Monday of July next.
June 20, 1940, Statement of claim filed and copy certified.
July 6, 1940, Demurrer to Statement of claim and legal questions filed.
On Arg. List for Sept. Tr 1940. No 4.
Writ returned 8/1/40 Served the within Summons togather with copy of Statement of Claim on Mary Jagiolka, at her residence in Hayfield Township, Crawford County, Pa., on June 26-1940 at 2:15 o'clock P.M. by handing to her a true and attested copy of the within Summons togather with copy of Statement of Claim and making contents of same known to her.
So answers Bert A. King Deputy S.
Harry B. Smith,
Sheriff.

Sept. 24, 1940, Argued, - plaintiff to file additional briefs in ten days, - no papers taken.
Now, January 2, 1942, defendants demurrer to Statement of claim, raising legal questions, is overruled, at cost of defendant, and said defendant is ordered to file an affidavit of defense to the merits within ~~fifteen~~ (15) days from this date. Per Curiam,
(See Opinion filed) O Clare Kent, P.J.
And now, May 28, 1942, upon praecipe of plaintiff's attorney, judgment is entered in favor of plaintiff and against the defendant for want of an affidavit of defense and liquidated, at the sum of Thirteen hundred fourteen Dollars, together with costs of suit. (See paper filed.)
Debt $1314.00
Interest
Judgment
J" page 64 Paul D. Clayton, Pro.

88 Stuart A. Gulbertson	Commonwealth of Pennsylvania, Dept. of Revenue vs. Raymond A. Gourley Entered June 20, 1940 Pro. Slayton 7/15/40 Cd. # 5.00	June 20, 1940, Petition for restoration of Operators License No. 1851553, and for preliminary hearing thereon, presented to Hon. O. Clare Kent, P.J. and filed. And now, June 20, 1940, upon presentation of the foregoing petition and consideration thereof, it is ordered that hearing upon said matter shall be held on the 5th day of August, 1940, at 9:30 A.M. and that thirty days written notice thereof shall be given by the petitioner to the Secretary of Revenue of the State of Pennsylvania by registered mail. It is further ordered that the said Raymond A. Gourley shall retain possession of his operators license plate 3935027, license No. 1851553 and that the said operators license shall be valid for all purposes until final determination by the Court. (See petition.) Per Curiam, O. Clare Kent, P.J.

SEPTEMBER TERM, 1940

F. E. Kiebort, Jr.	O. Clare Kent and United States Fidelity and Guaranty Company vs. Fred Snyder Issued - June 21, 1940 # Jay & writ 7/2/40. cd. 2.00 Shff. Smith paid 3.20	Summons in Trespass, Returnable to first Monday of August, 1940 Writ returned 8/1/40 Served the within summons, personally, on Fred Snyder, by serving Ida Snyder the then & there adult member of the family, namely his wife at their residence No 527 - Miller Avenue, City of Meadville - Crawford County, Pa. on July 8, 1940 at 3:45 o'clock P.M. by handing to her a true and attested copy of the within Summons and making contents of the same known to her. So answers Harry B. Smith Sheriff.

Feb. 17, 1941, Statement of claim filed, and copy served on deft. See affidavit of service endorsed.

Paul E. Thomas	C. F. Kuhn, Ivy Kuhn his wife, and Lohr Kuhn	Summons in Trespass, Returnable to first Monday of August next.
90	vs.	And now, Sept. 5, 1940. On motion in open Court, rule granted upon plffs. to show cause why they should not give security for costs, proceedings stayed in meantime.
Stuart A. Culbertson 7/22/40 P.D.S. Pro.	E. D. Swanson	Per Curiam
	Issued June 21, 1940	O. Clare Kent, P.J.
	Tax & writ (paid) 2.00	(See paper filed)
	Stiff, Smith, Pro. Clayton 2/7/49 Paid 14.55	Same day, Service accepted by Plffs Atty.
	Atty. 3.00	On Argt. List for Feby. Term, 1941; No. 4.
		Feby. 24, 1941, By agreement of counsel Rule for security of costs is made absolute and plaintiff are ordered to file such security in the sum of $300.00, within thirty days from this date, or judgment of non pros.
		(See paper filed) Per Curiam
		March 26, 1941 Bond of Plffs. as security for costs with Fidelity and Deposit Co. of Md., as surety in the sum of $300.00, approved by Hon. O. Clare Kent, P.J. and filed.
		May 16, 1943. Statement of claim filed. Service accepted by Defts attorney.
		On Fall Trial List, 1944; No. 8.
		September 25, 1944, Motion to Continue filed.
		Order:- And now, September 25, 1944, trial of the above stated case is hereby continued during the time the said Lohr Kuhn is in the military service of the United States and for three months thereafter.
		Per Curiam, O. Clare Kent P.J.
		On Spring Trial List, 1948; No. 39.
		On Fall Trial List, 1948. No. 17.
		Oct. 6, 1948 Continued on application of Plaintiff. Per Curiam.
		On Winter Trial List, 1949; No. 34.
		Jan. 3, 1949, Settled.

2/7/1949 Rec'd of Prothonotary $3.55 Lving docket & entry fee. Paul E. Thomas.

And now, Feby 7, 1949, the above case having been settled the Prothonotary is directed to mark the same discontinued of record.

Paul E. Thomas atty for Plffs.

SEPTEMBER TERM, 1940

John C Spencer 91	Emma A Smock vs. Stephen E Smock Issued June 21, 1940 Tax & writ pd. 6/25/40 $3.00 Shff. Smith (paid) 5.30	Subpoena in Divorce. And now, June 21, 1940 Subpoena awarded, returnable to first Monday of August next. Per Curiam, O. Clare Kent, PJ Subpoena returned: Served the within Subpoena in Divorce on the respondent personally on the 2d day of July, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers Harry B. Smith, Shff.

George C. Mager, Jr.
92

Aug. 15, 1940: Received $35.00 costs. Pro. D/pm.

Aug 22-1940. Received $26.00 Master's fee
Otto A Stolz

Received $1.90 refund.
Geo. C Mager Jr

Mildred Mary Perretta
vs.
Anthony Lewis Perretta
Issued June 22, 1940

	$
Tax & writ (paid)	3.00
Shff Smith (pd)	2.90
Shff Lawrence Co (pd)	3.50
Otto A. Stolz, Master	25.00
Pro. for Co. 8/15/40. Pd.	8.10
Atty.	3.00
Margaret Mogruder, Steno Fee	2.00

Subpoena in Divorce and to custody of minor child Marie Ann Perretta, aged 9 to the libellant

And now, June 22, 1940, the within petition presented and subpoena awarded, returnable to the first Monday of August, 1940

Per Curiam,
O. Clare Kent, P.J.

Subpoena retd: Now, June 26, 1940, at 3:00 P.M. served the within Subpoena in Divorce on Anthony Perretta, Respondent at No. 420 Court Street, New Castle, Lawrence County, Pennsylvania, by making known to him the contents thereof and leaving with him a true and attested copy. (Sgd) Clyde D. Bodgle
Chief Deputy Sheriff
So ans W. M. Ingham
Sheriff of Lawrence County, Pa.

(Sworn to before Prothy of Lawrence County Pa. Now, July 19, 1940.) Served the within Subpoena in Divorce on Anthony Lewis Perretta, Respondent, by deputizing the Sheriff of Lawrence County, Pa., as per his return hereto attached. So answers
Harry B. Smith, Sheriff

And now, Aug. 15, 1940, Otto A. Stolz, Esq., is hereby appointed Master in the above entitled case. Per Curiam,

Aug. 22, 1940. Testimony and Report of Master filed.

On Arg. List for Sept. Term, 1940, No. 45.

And now Sept. 28, 1940 After due consideration a divorce is decreed as prayed for, the respondent, Anthony Lewis Perretta, is ordered to pay the cost of this proceeding and the custody of minor child, Marie Ann Perretta, is awarded to libellant, Mildred Mary Perretta.

Decree and now to-wit September 28 A.D. Per Curiam, 1940 this cause came on to be heard on libel, subpoena, subpoena proceedings, and evidence there in duly taken and filed of record, and it appearing to the Court that the cases set forth in said libel are true, it is by the Court ordered adjudged & decreed, that the said Mildred Mary Perretta be divorced and forever separated from the nuptial ties of matrimony heretofore contracted between her the said Mildred Mary Perretta the libellant and the said Anthony Lewis Perretta the respondent and that there upon all and every the duties, rights & claims accruing either to the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married before. It is further ordered & decreed that the custody of minor child Marie Ann Perretta, is awarded to libellant, Mildred Mary Perretta.

Per Curiam.

SEPTEMBER TERM, 1940

Stuart A. Culbertson

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Kenneth W. Rice

Attest: J.M.M. 7/29/40.

Norman A. Hodgson

vs.

Eugenia M. Hodgson

Issued June 24, 1940

Tax & writ (paid) $3.00

Shff. Smith (paid) 5.20

Subpoena in Divorce

And now, June 24, 1940 the within petition presented, and Subpoena awarded, returnable to the first Monday of August, 1940.

Per Curiam,

O. Clare Kent, P.J.

Subpoena p.r.t.d: Served the within Subpoena in Divorce on the Respondent personally, on the 15th day of July, 1940, by delivering to her a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit as above.

So answers Harry B. Smith, Sheriff.

Leland J. Culbertson 9th	F. C. Craig vs. Saegertown Dairy Co-Operative Association. Entered June 24, 1940 # Tax & entry (paid) 1.50 Costs on Trans. 5.85 Pro. Slayton 1.50 Atty 3.00	Appeal by Deft. from Judgment of A. A. Reilbaugh, Alderman June 27, 1940. Acceptance of service of notice of appeal filed. And now, January 25, 1941, On motion of defendants Attorney judgment of Non pros. is entered against the plaintiff, for want of a Statement of Claim, see, reg. (See paper filed.) Judgment Cr. page 103. Paul D. Slayton, Pro

SEPTEMBER TERM, 1940

95

Edna L. Van Marter
vs.
Henry Lape
Entered June 25, 1940

Pro. Slayton (paid) $ 2.25

Of No. 381 May Term, 1935 D.S.B.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Two Hundred Dollars, being the amount of debt, interest to May 16, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $200.00
Interest from May 16, 1940
L page 76 Judgment
Paul D. Slayton, Pro

And now Feb 18, 1941, for value received, I hereby release from the lien of this judgment, the following described piece of land in West Mead Township; on the north by land of Henry Lape, 435.6 ft.; on the East by ~~land of~~ center of public road 100 ft; on the south by land of Ellis Heirs, 435.6 ft; on the west by land of Henry Lape, 100 ft, being one (1) acre of land sold by Henry Lape to

February 18, 1941, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Edna L. Van Marter
Mae B. Maloney, witness

May [illegible]

96

Helen B. Miller Thorn Eng, Petitioner
vs.
First National Bank of Meadville, Pennsylvania,
Respondent
Entered June 26, 1940
Pro. Clayton (paid) $3.00

June 26, 1940, Petition filed, praying that the First National Bank of Meadville, Pennsylvania, release all residue net income that under said Trust Agreement between Glen W. and Helen B Miller was and is payable monthly after necessary repairs and taxes are paid"; with this order endorsed:-

Now, May 27, 1940, upon presentation of the within, a rule to show cause is granted.

Per Curiam,
O. Clare Kent, P.J.

May 28, 1940. Petitioner makes affidavit of service of copy of petition on First National Bank of Meadville, Pa.

(See back of petition.)

SEPTEMBER TERM, 1940

F. Joseph Thomas 97 Daniel R. Culbertson 8/2/40. P.D.S.	Harold B. Turner vs. Eugene Palmer Issued June 26, 1940 Tax & writ (atty fee) $2.00 Shff. Smith Paid 6.50 Pro. Clayton 1-30-41, 4.70 pd. Atty. 3.00	Summons in Trespass Returnable to the first Monday of August next. July 1, 1940, Statement of claim filed. On Fall Trial List, 1940. No. 43. 2.70 Writ returned 7/6/40. Served the within Summons, together with copy of Statement of Claim personally on Eugene Palmer on July 12–1940 at 10:55 o'clock A.M. at the Sagertown Cooperative Dairy Association in the Borough of Sagertown Crawford County Pa. by handing to him a true and attested copy of the within Summons together with copy of Statement of the Claim and Making contents of same known to him So answers Harry B. Smith Sheriff.

On Winter Trial List, 1941, No. 25.
Jan. 16, 1941, Settled. Per Curiam.

And now Jan 30 1941 this case is settled, ended and discontinued of record.

F. Joseph Thomas
attorney

Kent & Kent

98

Commonwealth of Pennsylvania, ex relatione Helen McClain (mother) and Russell Paul Neff (son)

vs.

Paul Neff

Issued June 27, 1940

Pro. Slayton (paid) $5.00
Shff. Smith (paid) 4.20
Appeal to Superior Ct (paid) 3.00

Habeas Corpus for the custody of Russel Paul Neff, minor child of Helen McClain, relator, and the respondent.

Now, June 27, 1940, upon presentation and consideration of the within petition, it is ordered that a writ of Habeas Corpus be issued in this case as prayed for, and that the same be directed to Paul Neff, commanding him forthwith to bring before this Court the body of Russel Paul Neff, and show cause, if any he has, why the said Russel Paul Neff should not be relieved of the said restraint and why he should not be delivered into the custody of his mother, Helen McClain.

This writ of Habeas Corpus is returnable at 9:30 o'clock A. M., E.S.T., on the 2d day of July, 1940, in the Court of Common Pleas of Crawford County, Penna, at Meadville, Penna.

Per Curiam,
O. Clare Kent, P. J.

Writ returned: Served the within Habeas Corpus, together with copy of petition, on Paul Neff, on June 27, 1940, at 11 o'clock A. M. by handing to Ada Neff, his wife, she being an adult member of the family, a true and attested copy thereof, at their residence No. 311 W. College St. in the City of Meadville, and making contents of same known to her. So answers Bert A. King, Deputy Sheriff

Harry B. Smith, Sheriff.

July 25, 1940. Transcript of Testimony filed.

Aug. 14, 1940. Opinion and Order of Court filed.

Now, August 14, 1940, it is hereby ordered and decreed that the said child, Russel Paul Neff, be given into the custody and care of his mother, Helen (Neff) McClain, with the right and privilege of the father Paul Neff, to visit said child at any and all proper times, and to take said child into his care and custody at such times and for such periods as the said father and mother may from time to time hereafter agree upon.

Per Curiam,
O. Clare Kent, P. J.

(See opinion filed)

Oct. 12, 1940. Certiorari on appeal by respondent to Superior Court filed. Numbered in said Court. 154 of April Term, 1941; returnable to 2d Mon. of April 19

April 11, 1941. Certificate of discontinuance of appeal in Superior Court, filed.

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A. M. Deeter
vs
Maude Shearer and
J. A. Shearer
Entered June 28, 1940
Pro. Slayton (Paid) $2.25

Of No. 450 May Term, 1935 DSB
Amicable Scire Facias sur Judgment
It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county and duly so returned, and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of Four hundred sixty Dollars, being the amount of debt interest to July 1, 1940 and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $460.00
Interest from July 1, 1940
Judgment
Paul D. Slayton, Pro.

Sh. page 106

April 7, 1943, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisiy the same record.
A. M. Deeter

Witness: Paul D. Slayton, Pro.

Stuart A. Culbertson

100

John V. Wherry
Kent + Kent
1/26/40 PDS. Pro

Costs continued:

Supreme Court appeal costs	12.00
Atty. Supr. Court	3.00

July 3, 1941, Certiorari on appeal by Defts to the Superior Court filed being No. 148 April Term 1941, and returnable to second Monday of April 1942.

July 5, 1941, Appeal bond of Defts with Fidelity and Deposit Company of Md. as surety in the sum of $14,000.00, filed.

August 5, 1942, Record returned, and penultitur and certified copy of opinion by Baldridge, J., filed.

July 23, 1942, Judgment is reversed and here entered for defendant Baldridge, J.

Judgment for Defts Aug 5/42
Paul D. Slayton, Pro.

"P." pages 181-181

Nov. 19, 1942, Record returned to Workmens' Compensation Board, Harrisburg, Pa.

Nov. 24, 1942, Certified copy of Court's opinion & order mailed to Workmens' Compensation Board, Harrisburg, Pa.

Jan. 16/1943 D. Sharp acknowledges receipt $10.70 advanced costs.
Martha E. Shepherd
atty for Pfeffer
Dismissed

Blanche P. Powell, widow of Regan W. Powell, deceased, Claimant,

vs.

Hills Garage, Defendant

Issued June 28, 1940

Pro. Slayton	7/12/40. Rd.	$ 5.00
Pro. for Co.	12/31/42. Pd.	7.00
Atty.		3.00
Pro. Postage	12/31/42. Pd.	.70
Appeal to S.C. Pro. Slayton	Granted 12/31/42. Pd.	3.00
Costs contd. for	Judgt. 12/31/42. Pd.	3.00

Appeal by Mrs. Blanche P. Powell Claimant, from the decision of the Workmens Compensation Board made June 21, 1940, on Claim petition No. 79,932.

June 28, 1940 Appeal and affidavit filed.

Same day, Exceptions filed

Same day, Certiorari issued and mailed with copy of exceptions to W.C. Board, Harrisburg, Pa.

July 8, 1940, "Transcript of Record" of Workmens Compensation Board filed.

July 10, 1940 Proof of notice of appeal and exceptions filed.

On Argt. List for Sept. Term, 1940, No. 12.

Sept. 23, 1940, Continued by agreement of Counsel Per Cur.

On Argt. List for Nov. Term 1940, No. 10.

Nov. 26, 1940, Continued on application of plaintiff. Per Curiam.

On Argt. List for Feby. Term, 1941, No. 5. Feb. 26, 1940, Argued.

June 14, 1941, Opinion filed;

Order, Now, June 14, 1941, Claimant's appeal is hereby sustained the action of the Compensation Board is reversed, the award of the Referee is reinstated, and judgment is hereby directed to be entered by the prothonotary upon the compensation award of the Referee, dated September 5, 1939, against the defendants, Hills Garage and Pennsylvania Threshermen & Farmers' Mutual Casualty Insurance Company, in favor of Claimant, Blanch P. Powell, widow of Regan W. Powell, deceased, for a period of 500 weeks from February 20, 19[illegible] at the rate of $10.56 a week, amounting to the sum of $5,280.00 plus interest on each of said payments from the date same became due to date of payment thereof, the cost of medical and surgical service during the first three months of disability in an amount not to exceed $200.00, and for hospital services in the amount of $193.00, for funeral expenses in the amount of $200.00, with costs of suit, including the charges of the impartial expert in the amount of $50. and for so doing this shall be sufficient warrant and authority.

Exception is granted and sealed for defendants.

Per Curiam,
O. Clare Kent, President Judge.

And now, June 14, 1941, in accordance with the above Order of Court judgment is entered in favor of Blanch P. Powell, widow of Regan W. Powell, deceased, and against Hills Garage and Pennsylvania Threshermen & Farmers' Mutual Casualty Insurance Company in the sum of Five Thousand nine hundred twenty-three & no/100 Dollars, with costs of suit and interest.

Debt $5923.00

Interest on each of said payments from the date same became due to date of payment thereof.

Judgment

Paul D. Slayton, Pro.

eland J. Culbertson

101

Kent + Kent, for garnishees
ry D. Veith + George
Effert executors
attest. J.H.M. 9-9-40.

the goods + effects of the
endants in the hands of the
d Garnishees and at the same
e summoned the said
orge Eiffert and Henry D. Veith
viving Executors of the last will
d testament of Daniel Veith
Garnishees by handing true
attested copy of the within
rit to George Eiffert Executor
viving Executor as aforesaid
ing a adult member of the
mily namely: Norman
ein residence No 218
outh 2nd St. City of Meadville
ithin County Pa and also
ave Henry D. Veith at
s home No 218 South
nd St. City of Meadville
awford County Pa by
ading to each of them
ue and attested
py of the within writ
d making known
contents of same
d further that
Norman D. Giesen
Administrator of the
tate of Anna V. Giesen
eased; Norman D.
iesen individually;
rs. Catherine Williams;
rs. Ina Palmer and
Norman D. Giesen as
ole heirs at law of Anna
. Giesen deceased and
red M. Giesen husband
Anna V. Giesen now
ceased and terre tenants
efendants.
o answer. Harry B.
mith Sheriff

George Eiffert now for use of Merchants National Bank and Trust Company

vs.

Norman D. Giessen, Administrator of the estate of Anna V. Giessen, deceased; Norman D. Giessen, individually; Mrs. Catherine Williams; Mrs. Ina Palmer; and Norman D. Giessen as sole heirs at law of Anna V. Giessen, deceased (and Fred M. Giessen, husband of Anna V. Giessen, now deceased) and terre tenants defendants and Henry D. Veith, surviving

George Eiffert, Executor of the last will and testament of Daniel Veith, deceased, Garnishees

Issued June 29, 1940

	$
Tax + writ (paid)	3.50
Shff. Smith (paid)	3.20
Pro. Alias, (Atty fd)	2.75
Shff. Smith Alias (Atty for Garnishee)	Jas. 60 $10.00
Pro. dec.	1.00
Atty.	3.00

Of No. 2 September Term, 1939, Att. Doc.

Attachment Execution

Returnable to next term.

To attach all and singular the goods and chattels, rights and credits, moneys and property of the defendants, in whose hands the same may be, and especially in the hands of George Eiffert, Executor of the last will and testament of Daniel Veith, late of the City of Meadville, deceased, and to summon him as garnishee.

Writ returned: Attached as within commanded, the goods, chattels, moneys and credits and effects of the defendants, Norman D. Giesen, administrator of the estate of Anna V. Giesson, deceased, Norman D. Giesson, individually; Mrs. Catherine Williams; Mrs. Ina Palmer; and Norman D. Giesson, as sole heirs at law of Anna V. Giesson (and Fred M. Giesson, husband of Anna V. Giesson, now deceased), in the hands of George Eiffert, Executor, Garnishee, on the 15th day of July, 1940, at 2:00 o'clock P.M., and declared in the presence of credible witnesses of the neighborhood, that the said goods, moneys, estate, and effects were attached were attached as the goods, and effects of the defendants in the hands of the said Garnishee; and at the same time summoned the said George Eiffert, Executor, as Garnishee, by handing a true and attested copy of the within writ to him personally, at No. 216½ Chestnut Street, City of Meadville, Crawford County, Pa., and making contents of same known to him. No service as to said named defendants. So answers Harry B. Smith, Sheriff.

Aug. 1, 1940. Alias Att. Ex. issued, returnable to next term, to summon as Garnishees, George Eiffert and Henry D. Veith, surviving Executors of the last will and testament of Daniel Veith, deceased. Writ returned 9/3/40. Attached As within Commanded the goods, Chattels, moneys and credits and effects of the defendants, Norman D. Giesen, Administrator of the estate of Anna V. Giesen deceased; Norman D. Giesen individually; Mrs. Catherine Williams; Mrs. Ina Palmer; and Norman D. Giesen as sole heirs-at-law of Anna V. Giesen and Fred M. Giesen husband of Anna V. Giesen now deceased and terre tenants in the hands of George Eiffert and Henry D. Veith surviving Executors of the last will and testament of Daniel Veith, Garnishees, on the 10 day of August 1940 - 9:30 o'clock A.M. and declared in presence of the said witnesses of the neighborhood that the said goods, moneys, estate and effects of the defendants attached

Continued on margin

Walter J. McClintock 102	Petition of Commissioners of Crawford County for approval of private sale to J. K. Abercrombie and Marjorie B. Abercrombie, his wife, of 25 acres in Summerhill Tp, which was assessed to L. Nafford ord. Nofford and sold to said Comrs at Treasurers sale for taxes on Aug 4, 1930 Entered July 1, 1940 Pro. Slayton $5.00	Preliminary Order: Now, July 1, 1940 upon presentation and consideration of the within petition, the Court fixes the first Tuesday of September, 1940, at 9:30 o'clock A.M. or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. Per Curiam Final Order: And now, Sept. 3, 1940, at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, J. K. Abercrombie and Marjorie B. Abercrombie, of Conneautville, Penna, R.D., a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price (See paper filed) Per Curiam.

Walter J. McClintock 103	Petition of Commissioners of Crawford County for approval of private sale to Jacob A. Pringle and Bessie M. Pringle of 103 acres in Bloomfield Tp., which was assessed to Bert Est. and sold to said Comrs. at Treasurers sale for taxes on Aug. 6, 1934. Entered July 1, 1940 Prs. Clayton $5.00	Preliminary Order: Now, July 1, 1940, upon presentation and consideration of the within petition, the Court fixes the first Tuesday of Sept. 1940 at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. Per Curiam. Final Order: And now, Sept. 3, 1940, at 9:30 A.M. o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Jacob A. Pringle and Bessie M. Pringle of Union City, Pa., R.D. #3, a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. (See paper filed) Per Curiam.

Kenneth W. Rice
104
Paul E. Thomas.
attest: g.m.v. 7/17/40.

Olive Mildred Reeb
vs.
Herman David Reeb
Issued July 1, 1940

Tax & writ (paid)	3.00
Shff. Smith Pd.	3.20
George X. Simonetta, Master	25.00
Pro. for Co. 8/27/40. Pd.	8.10
Atty.	3.00

Aug. 26, 1940 Rec'd. #35.00 costs.
P. P. C.

9/18/40 Master's fee in the above case received. #25.00
George X. Simonetta

10/21/40 - Received #1.70 return & advance costs -
Kenneth W. Rice
attorney

Subpoena in Divorce.
And now, July 1, 1940, subpoena awarded, Returnable to the first Monday of August next.
Per Curiam,
O. Clare Kent, P.J.

July 17, 1940: Power of attorney filed by Paul E. Thomas, Esq., Attorney for defendant.

And now, Aug. 3, 1940, I hereby accept service of the within subpoena on behalf of the respondent. Paul E. Thomas, Attorney.

Service of the within Subpoena in Divorce made, by acceptance of service of said Subpoena by Paul E. Thomas, Attorney for Respondent, by entry of a general appearance for respondent, said attorney being also delivered a true and attested copy of said Subpoena in Divorce. (See acceptance of service on writ.)
So answers,
Harry C. Smith, Sheriff.

And now, August 26, 1940, George X. Simonetta, Esq., is appointed Master in the above entitled case. Per Curiam.

Sept. 18, 1940, Testimony and Report of Master filed,
On Arg. List for Sept. Term, 1940, No. 46.

Now Sept. 28, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Herman David Reeb, is ordered to pay the cost of this proceeding. Per Curiam.

Decree. And now to-wit: September 28 A.D. 1940. this cause came on to be heard on libel subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the court that the causes set forth in said libel are true it is by the court ordered, adjudged and decreed, that the said Olive Mildred Reeb be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Olive Mildred Reeb the libellant and the said Herman David Reeb the respondent and that there upon all and every the duties, rights and claims accruing to either of the said libellant or the said respondent at any time hereto-fore in pursuance of said marriage, shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

April 29, 1950, Olive Mildred Reeb, Libellant, files her intention to retake and resume her maiden name, Olive Mildred Rodebaugh (see paper filed)

SEPTEMBER TERM, 1940

Kenneth W. Rice
105

Aug. 26, 1940, Recd. $35.00 costs.
P. D. B.

9/13/40 Masters fee $25.00 Paid
John H. Bozic

9-21-40 Recd return endorsed
Kenneth W. Rice
attorney.

Virginia Smith Hubbard
vs
Donald Mathew Hubbard
Issued July 1, 1940

Tax & writ (paid)	3.00
Shff. Smith (pd)	2.90
Shff. Lawrence Co. (pd)	3.50
John H. Bozic, Master	25.00
Pro. for Co. 8/27/40, pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, July 1st, 1940 Subpoena awarded, Returnable to the first Monday of August next.

Per Curiam,

Subpoena retd.- C. Clare Kent, P.J.

Now, July 10, 1940, at 11:45 A.M., served the within Subpoena in Divorce on Donald Mathew Hubbard, Respondent, at his residence No. 701½ Croton Avenue New Castle, Lawrence County, Pa., by making known to him the contents thereof and leaving with him a true and attested copy. So answers George Dean, Deputy Shff.

M. M. Ingham,
Sheriff of Lawrence County, Pa

Served the within Subpoena in Divorce on Donald Mathew Hubbard, Respondent by deputizing the Sheriff of Lawrence County, Pa., as per his return hereto attached. So answers Harry B. Smith, Sheriff.

And now, August 26, 1940, John H. Bozic, Esq., is appointed Master in the above entitled case.

Per Curiam,

Sept. 13, 1940 Testimony and Report of Master filed,

On Arg. List for Sept. Term, 1940 No. 47.

Now Sept. 28, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Donald Mathew Hubbard, is ordered to pay the cost of this proceeding.

Per Curiam,

Decree. And now to-wit: September 28, A.D. 1940. This Cause coming on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed, that the said Virginia Smith Hubbard be divorced and for ever separated from the nuptial ties and bonds of matrimony heretofore existing between her, the said Virginia Smith Hubbard the libellant, and the said Donald Mathew Hubbard the respondent, and them and each of them all and every the duties, rights and claims accruing to either the said libellant or the said respondent, and at any time hereafter in pursuance of said marriage, shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Arden D. Mook
106

Asher R. Langworthy
vs.
Emma Langworthy
Issued July 1, 1940

Tax & writ (paid)	$ 3.00
Stff. Smith (paid)	1.60
Stff. Smith, alias (paid)	1.60
Shff. Smith, proc. (paid)	11.15
Faris J. Thomas, Master	25.00
Bro. for Co. 2-17-41. Pd.	10.00
Atty.	3.00

Feby. 17, 1941 Rec'd. $35.00 costs P. D. S.

Feb. 22, 1941. Rec'd $25.00, Master's fee in full.
S. Joseph Thomas, Master.

Subpoena in Divorce

And now, July 1, 1940, the within petition presented in open Court and Subpoena awarded, returnable to the first Monday of August, 1940.

Per Curiam,
O'Clare Kent, P.J.

Subpoena returned: And now, Aug 5, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff

Oct. 23, 1940, Alias Subpoena in Divorce issued, returnable to first Monday of December, 1940.

Alias Subpoena retd. Dec. 2, 1940: Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff

Dec. 3, 1940, Order issued for publication of Proclamation in Divorce, returnable to first Monday of Feb. next

And now, Feb. 3, 1941, I --- have made proclamation in the above entitled case according to law, and caused the same to be published in the Linesville Herald, Linesville, Pa., a newspaper printed within my Bailiwick for three successive weeks prior to return day thereof as per copy of said proclamation and proof of publication hereto attached. So answers Harry B. Smith, Sheriff

And now, Feby. 17th, 1941, Faris J. Thomas, Esq., is hereby appointed Master in the above case to take testimony and make report thereof to the Court,

Per Curiam.

Feby. 22, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 44.

March 12, 1941, after due consideration a divorce is decreed as prayed for upon payment of costs of proceeding by libellant,

Per Curiam.

—Decree—

And now—to wit, March 12, A.D. 1941 this cause came on to be heard on libel, subpoena, subsequent proceedings & evidence then in duly taken and filed of record and it appearing to the Court that the cause set forth in said libel are true, it is by the Court ruled, adjudged and decreed, that the said Asher R. Langworthy be divorced and forever separated from the matrimonial tie and bonds of matrimony heretofore contracted between him the said Asher R. Langworthy the libellant and the said Emma Langworthy the respondent and that thereupon all and every the claims rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease & determine: And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

SEPTEMBER TERM, 1940

Gerald D Prather
1.07

Gladys Edna Siferd
vs
Joshua Frank Siferd
Issued July 1, 1940

Tax + writ (paid)	3.00	
Shff Smith (paid)	1.60	
Shff Smith, ~~copy costs~~ (paid)	11.15	
Nov. 4, 1940. Rec'd $35.00 costs. Shff. Smith, alias (paid)	1.60	
P. D. S. A. D. Mook, master	25.00	
Pro. for Co. 11-4-40 Pd.	10.00	
Atty.	3.00	

Subpoena in Divorce and for the custody of minor children, Jean Marie, aged 7, and James Dale aged 6. And now, July 1st, 1940, Subpoena awarded, Returnable to the first Monday of August, 1940.
Per Curiam,
O Clare Kent, P.J.

Subpoena returned: Aug. 5, 1940, Non est inventus as to the within named respondent.
So answers Harry B Smith, Shff.

Aug. 5, 1940, Alias subpoena in Divorce issued, returnable to second Monday of Sept. next.

Alias Subpoena retd Sept. 9, 1940: Non est inventus as to the within named respondent. So answers Harry B Smith, Sheriff.

Sept. 23, 1940, Order issued for publication of Sheriff's Proclamation in Divorce, returnable to 1st Monday of Nov. next.

And now, Nov. 4, 1940 - - - I have made proclamation in the above entitled case according to law, and caused the same to be published in the Connellsville Courier a newspaper printed within my bailiwick, once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached.
So answers Harry B Smith, Sheriff.

And now, November 4, 1940 upon presentation of the within motion, A. D. Mook, Esq, is hereby appointed Master as prayed for.
Per Curiam,

Nov. 9, 1940 Testimony and Report of master filed.
On Arg. List for Nov. Term, 1940, No. 35.

Nov. 30, 1940, After due consideration a divorce is decreed as prayed for, the respondent, Joseph Frank Siferd, is ordered to pay the cost of this proceeding and the custody of minor children, Jean Marie and James Dale Siferd, is awarded to the libellant, Gladys Edna Siferd.
Per Curiam.

Decree -

And now to wit: November 30 A.D. 1940 this cause came on to be heard on libel subpoena subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed.

That the said Gladys Edna Siferd be divorced and forever separated from the nuptial ties and bonds of Matrimony heretofore contracted between her the said Gladys Edna Siferd the libellant, and the said Joshua Frank Siferd the respondent and that there upon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said

Court on margin

Nov. 4, 1940. Rec'd $35.00 costs. P. D. S.

And now Nov 9, 1940 rec'd 25|00 payment of master fee in above case.
Adam Mook
Master

marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

It is further ordered and decreed that the custody of minor children Jean Marie and James Dale Siferd, is awarded to the libellant Gladys Edna Siferd.
per Curiam

108	Crawford County Trust Company, Meadville, Penna. vs Matthew John Wybiral Entered July 1, 1940 Pro. Slayton (paid) $2.25	Of No. 86 September Term, 1935 Amicable Scire Facias sur Judgment. It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant and duly so returned, and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Two Hundred Forty Dollars, being the amount of debt, interest to July 1, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note Debt $240.00 Int from July 1, 1940 Wy p. 13. Judgment Paul D. Slayton Pro.

May 13, 1941, Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Crawford County Trust Co
by W. D. Burke Atty in fact

SEPTEMBER TERM, 1940

Donald C. Thompson
10q

LeGrand J. Leffingwell
vs.
Ida M. Leffingwell
Issued July 2, 1940

Tax & writ (paid) $3.00
Shff. Smith ---
John Schuler, Master 25.00
Pro. for Co. 9/4/40. Pd. 8.10
Atty. 3.00

Subpoena in Divorce

And now, July 2, 1940, Subpoena awarded, Returnable to first Monday of August, 1940.

Per Curiam
O. Blare Kent, P.J.

Subpoena returned: George W. Bunce makes affidavit: That he served the within Subpoena in Divorce upon Ida M. Leffingwell, the respondent therein named, on Tuesday, July 2, 1940, at 6:30 o'clock P.M., at her residence, corner of Center and Water Streets, Meadville, Penna., by handing her a full, true, correct, and certified copy of the within Subpoena in Divorce, and at the same time informing her personally of the contents thereof. (See affidavit on subpoena)

And now, Sept. 3, 1940, upon presentation of the within motion in open court John Schuler, Esq., is appointed to take the testimony of the witnesses in the above entitled case and make report thereof to the Court.

Per Curiam,

Sept. 20, 1940. Testimony and Report of Master filed.

On Argt. List for Sept. Term, 1940, No. 48.

Now Sept. 28, 1940 After due consideration a divorce is decreed as prayed for.

Per Curiam.

Decree, And now to wit, September 28, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true; it is by the Court ordered adjudged & decreed, That the said LeGrand J. Leffingwell be divorced and forever separated from the Nuptial tie & bonds of Matrimony heretofore contracted between him, the said LeGrand J. Leffingwell the Libellant and the said Ida M. Leffingwell the respondent; and there upon all & every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time hereafter in pursuance of said Marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Sept. 4, 1940. Rec'd $35.00 costs. P.D.S.

Sept. 20, 1940 Rec'd of Pro. Slayton $25.00 master fee in this case.

John Schuler
Master

9/25/1940 - Rec'd $1.90 refund.
Donald C. Thompson, Atty.

Kent + Kent 110	W. E. Byham & Son vs. Miss Hazel Byers, defendant, and William H. Snow and Alberta Snow, terre tenants. Issued July 2, 1940 Pro. Slayton (paid) 2.25 Skiff & Smith (paid) 8.60 Pro. for Co. pd 7/29/40 - 1.25	Of No. 226 May Term, 1934 Scire Facias to revive and continue the lien of the above judgment, with notice to William H. Snow and Alberta Snow terre tenants; Returnable to first Monday of August next July 3, 1940 Statement of claim filed. Writ returned, served on Defts and terre tenants July 6, 1940. For return at length, see writ

Now, July 29, 1940, the above case is hereby discontinued and settled. Kent & Kent by Robert F. Kent, Attys for Plainty

July 29, 1940, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Robert F. Kent

Attys for Plaintiff

111

Martha Iva Mook
vs.
Cora E. Phillips
Entered July 3, 1940

Pro. Slayton (Pffs. pd) $2.25

Pffs. on Orig. 4.00

Of No. 92 September Term, 1935 D.C.
Amicable Scire Facias sur Judgment

It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Three Hundred & No/100 Dollars, being the amount of debt, interest to July 1, 1940 and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $300.00
Int. from July 1, 1940
P. page 4 Judgment
Paul D. Slayton, Pro.

Stuart A. Culbertson 112	Jacob Bausman vs The Smith Wilson Motor Co., Inc. Issued July 3, 1940 Tax & writ (paid) - $3.00 Shff. Smith (paid) - $2.50	Replevin for Plymouth Sedan, 4 door, 1940 model, engine P9 85, 42 Mfg. 1392002, title # 5749665, of the value of Seven hundred fifty Dollars; Returnable to the first Monday of August, 1940. July 3, 1940 Narr. and affidavit of value filed. July 3, 1940 Bond of plaintiff with Frank Bausman as surety in the sum of $1500.00, approved and filed. July 12, 1940: Writ returned: "Nor July 10, 1940, writ directed to be returned by Stuart A. Culbertson, Atty. for Plaintiff." Do answers, Harry B. Smith, [illegible]

SEPTEMBER TERM, 1940

Peters & Prather
113

Elizabeth D. Hunt
vs.
Charles D. Hunt
Issued July 3, 1940

Tax & writ (paid) $ 3.00
Sheff Smith ---
Jeff E. Bossard, Master 25.00
Pro. for Co. 8/12/40, Pd. 8.10
Atty. 3.00

Aug. 10, 1940. Recd $33.10 costs
C.D.B.

Subpoena in Divorce
And now, July 3, 1940, Subpoena awarded, Returnable to first Monday of August, 1940.
Per Curiam,
Oblare Kent, P.J.

Subpoena returned with affidavit of C. D. Kost endorsed: "That he served the within Subpoena in Divorce personally upon Charles D. Hunt, the respondent therein named, on the ninth day of July, 1940, at 3:00 P. M., by delivering to him a true and attested copy of said Subpoena in Divorce, at the offices of the Mercatoris Oil Company, 898 Park Av., Meadville, Penna. and by making known to him the contents thereof," etc

And now, August 10, 1940, upon presentation of the within Motion, Jeff E. Bossard, Esq. is hereby appointed Master to take testimony in the above case.
Per Curiam.

Sept. 20-1940. Recvd from Paul M. Slayton, Pro. - $25.00 being Masters fee in the within case
Jeff. E. Bossard, Mstr.

Sept. 20, 1940. Testimony and Report of Master filed.
On Appl. List for Sept. Term, 1940, No. 49

Now Sept. 28, 1940 After due consideration a divorce is decreed as prayed for, the respondent, Charles D. Hunt, is ordered to pay the cost of this proceeding and the custody of minor child, Peter D. Hunt, is awarded to libellant, Elizabeth D. Hunt,
Per Curiam.

Decree. And now to wit September 28- A.D. 1940 this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon, duly taken and filed of record, and it appearing to the court that the cause set forth in said libel are true, It is by the court ordered, adjudged & decreed, That the said Elizabeth D. Hunt, the libellant, and the respondent be separated from the bonds of matrimony heretofore contracted between the said Elizabeth D. Hunt the libellant and the said Charles D. Hunt the respondent and that thereupon all and every the duties, rights & claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant & respondent shall severally be at liberty to marry again in like manner as if they had never been married. It is further ordered and decreed that the custody of minor child, Peter D. Hunt is awarded to libellant, Elizabeth D. Hunt.
Per Curiam.

Thomas & Kiebort

Dumb Cuddahan

7/12/40. P.D.S.

John D. Kent

11/29/40 cwB.

March 27-1941, this case is hereby discontinued.

Thomas & Kiebort

Attys. for Libellant

March 27, 1941 Received payment of $23.40 for Sheriff's costs.

Ann Griffin Caddahan

Ella W. Dilley

vs.

Will Dilley

Issued July 5, 1940

Tax & writ paid 7/8/40	3.00
Shff. Smith (paid)	4.90
~~Shff. Warren Co. (paid)~~	~~3.60~~
A. V. Caddahan, Stenog.	23.40
Pro. for Co. 3/27/41. Pd.	6.25
Atty.	3.00

Subpoena in Divorce from Bed and Board, with Alimony

And now, July 5, 1940 Subpoena awarded, returnable to first Monday of August, 1940.

Per Curiam

O. Clare Kent, P.J.

July 13, 1940, Respondents answer & Service accepted.

Subpoena returned: Served the within Subpoena in Divorce from Bed and Board with Alimony on the Respondent personally on the 11th day of July, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers Harry B. Smith, Sheriff

Now, Sept. 9, 1940, upon presentation of petition of libellant, a rule is granted on respondent to show cause why he should not pay unto libellant a sum sufficient to enable her to employ counsel and prepare her defns and have alimony pendente lite.

(See paper filed) Per Curiam.

Same day, Service accepted by atty for respondent.

Sept. 16, 1940. Respondents answer to Rule of Sept 9, 1940, filed.

On Argt. List for Nov. Term, 1940, No 19.

Nov. 26, 1940, Continued — Testimony taken on rule has not been transcribed & filed. Per Curiam

Jan. 21, 1941, Testimony on rule for counsel fees & alimony filed.

On Argt. List for Febry. Term, 1941; No. 16.

Febry 25, 1941 Continued by agreement of counsel. Per Curiam.

SEPTEMBER TERM, 1940

James E. Jack

115

Nov. 4, 1940. Recd $35.00 costs. P.D.S.

Nov. 22, 1940, Paid C. N. Benedict master fee by check no. 801. P. D. S.

Anna McFadden, Swab, a minor by her chosen guardian and mother, Letha L. McFadden

Vs.

Charles S. Swab

Issued July 5, 1940

Tax (writ paid)	3.00
Shff. Smith (paid)	1.60
Shff. Smith, alias (paid)	1.60
Shff. Smith, proc. (paid)	11.15
C. N. Benedict, Master	25.00
Pro. for Co. 11-4-40. Pd.	10.00
Atty.	3.00

Subpoena in Divorce

And now, July 5, 1940, the within petition presented and Subpoena awarded, returnable to the first Monday of August, 1940.

Per Curiam

O. Clark Kent, P.J.

Subpoena returned: Aug. 5, 1940. Non est inventus as to the within named respondent. So answers

Harry B. Smith, Shff.

Aug. 5, 1940, Alias Subpoena in Divorce issued, returnable to the second Monday of Sept. 1940.

Alias Subpoena retd: Sept. 9, 1940. Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff.

Sept. 23, 1940, Order issued for publication of Sheriff's proclamation in Divorce in above case, returnable to first Monday of Nov. next.

And now, Nov 4, 1940, --- I have made proclamation in the above entitled case, and caused the same to be published in the Bonneauville Courier, a newspaper printed within my bailiwick, for three successive weeks prior to return day thereof, as per copy of said proclamation, and proof of publication hereto attached. So answers Harry B. Smith, Sheriff.

And now, November 4th, 1940, C. N. Benedict, Esq., is hereby appointed Master in the within case, Per Curiam,

Nov. 22, 1940, Testimony and Report of Master filed.

On Arg. List for Nov. Term, 1940, No. 48.

Dec. 3, 1940, After due consideration a divorce is decreed as prayed for and the respondent, Charles S. Swab, is ordered to pay the cost of this proceeding. Per Curiam.

—Decree—

And now to wit: December 3, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein duly taken and filed of record; and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed, That the said Anna McFadden Swab be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Anna McFadden Swab the libellant and the said Charles S. Swab the respondent; and that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance said marriage shall cease and determine; And the said libellant and the said respondent shall severally be at liberty to marry again as if no such marriage had been had.

Per. Curiam

SEPTEMBER TERM, 1940

R B Mahaney
116
Writ + Writ
8/5/40 O.D.S.

Reid $3.00 Sept 28 1942, docket fee.
R. B. Mahaney atty.

Alice I. Mars
vs.
Archie R. Mars
Issued July 6, 1940

Geo. Slayton (paid)	$2.25
Shff. Smith (paid)	8.30
Pro. for Co. 10/23/40. Pd.	2.50
Atty.	3.00

Of No. 461 May Term, 1935, D.S.B.
Scire Facias to revive and contin the lien of the above judgment. Returnable to first Monday of August next.
M. page 153.
Writ returned. Served the within Sci. Fa. to revive judgment on Archie R. Mars, on July 6, 1940, at 1:45 P.M., at his residence in Oil Creek Township, Crawford Coun Pa., by handing to him a true and attested copy thereof, and making contents of same known to him.
So answers Harry B. Smith, Sheriff.

And now, Oct. 23, 1940, on motion of plaintiff's attorney judgment is entered against the defendant in favor of the plaintiff, for want of an affidavit of defense and liquidated at the sum of Four hundred fifty two & 10/100 dollars, with costs of suit.

Debt $452.10
Int. from July 3, 1940.
Judgment
Paul D. Slayton,
Prothonotary.

M. p. 153.
September 23, 1942. This Judgment assigned by Alice I. Mars also known as Alice M. Reidy to The Second National Bank of Titusville, Pa.
September 23, 1942. The above Judgment is Satisfied (see paper file)

F. Joseph Thomas 117	A. K. Britton vs. Hazel Byers, Deft. and William Snow and Alberta Snow his wife Garnishees Issued July 6, 1940 Jas Elliott (paid) 2.75 Shff. Smith (paid) 6.60	Of No. 362 May Term, 1940 D.S.B. Attachment Execution. Returnable to next term. Writ rcvd: Attached as within commanded, the goods, chattels, moneys and credits, and effects of the defendant Hazel Byers, in the hands of William A. Snow and Alberta Snow, his wife, Garnishees on the 6th day of July, 1940, at 11:30 o'clock A.M., and detained in the presence of credible witnesses of the neighborhood, that the said goods, moneys, estate and effects were attached as the goods and effects of the defendant in the hands of the said garnishees; and at the same time summoned the said garnishees, by handing a true and attested copy of the within writ to Alberta Snow personally, and to her as an adult member (wife) of the family of William A. Snow, at their residence in Vernon Tp; and on July 6, 1940, at 8:50 P.M. served the within writ on the defendant, by handing a true and attested copy thereof to Hazel Byers, deft, at her residence in Vernon Tp., Crawford County, Pa. So answers Harry B. Smith, Sheriff

Jos. Berry Eckels

118

7/22/40 P.S. 35.00

Dec 31 1941 Running
A 54 30 pay costs
J. Berry Eckels
atty pa Pltff.

Anna Sturrock &c
Isaac Sturrock,
her husband,
vs.
Dmytro M. Onyskow
Marie Onyskow, and
Frank Onyskow
Issued July 8, 1940

Tax & writ (paid)	2.00
Shff. Smith paid	9.30
Pro. for Co. 12/31/41. Pd.	5.85
Atty.	3.00

Summons in Trespass
Returnable to first Monday of August next

July 8, 1940 Statement of claim filed. 3 copies certified.

July 22, 1940 Affidavit of defense filed.

On Fall Trial List, 1940, No. 32.

Writ returned "Served the within summons, together with copy of Statement of Claim, personally, on Dmytro M. Onyskow at his residence in Vernon Township, Crawford County, Pa. on July 9-1940 @ 3:25 o'clock P. M. by handing to him a true and attested copy of the within Summons, together with copy of Statement of Claim and making contents of same known to him. Also served the within Summons together with copy of Statement of Claim personally on Marie Onyskow by serving Dmytro M. Onyskow, the said Marie Onyskow being an adult member of the family, namely her husband at their residence in Vernon Township, Crawford County, Pa. on July 9-1940 at 3:25 P.M. by handing to him a true and attested copy of the within Summons, together with copy of Statement of Claim and making contents of same known to him. Also served the within Summons together with copy of Statement of Claim personally on Frank Onyskow by serving Dmytro M. Onyskow the said Frank Onyskow being an adult member of the family, namely his father at their residence in Vernon Township, Crawford County, Pa. on July 9-1940 @ 3:25 o'clock P. M. by handing to him a true and attested copy of the within Summons, together with copy of Statement of Claim and making contents of same known to him.

So answers, Harry B. Smith
Sheriff.

On Winter Trial List, 1941, No. 14.

January 6, 1941 Continued by agreement of counsel per Curiam

On Winter Trial List, 1942, No. 29.

And now, December 31, 1941. This case settled and discontinued & remd. J. Berry Eckels
atty pa Pltff.

January 5, 1945 Settled per Curiam.

SEPTEMBER TERM, 1940

Thomas F Kiebort	James Caldwell a minor, by John J Caldwell, his Guardian, and John J Caldwell and Sarah E Caldwell, his parents in Their own right, vs. David J McGuire	Summons in Trespass Returnable to first Monday of August, 1940. Writ Rt'd Sept 9th 1940 Served the within summons personally on David J. McGuire by serving Agnes McGuire the Beauy an adult Member of the family namely his wife at their residence in Hayfield Township Crawford County Pa. on July 12th 1940 @ 10:10 o'clock A.M. by handing to her a true and attested copy of the within summons and making contents of same known to her. So answer Harry B Smith Sheriff.
119	Issued July 8, 1940	
	Tax & writ (Atty fee) $2.00	
	Shff. Smith (Pd) 5.50	
	Pro. disc 9/17/40. Pd. 1.50	
	Atty. 3.00	

Now Sept. 17, 1940, this case is hereby discontinued of record. All costs paid.

Thomas F Kiebort, Atty for Plffs.

F Joseph Thomas
120

Sheriff Echel
attest: M.M. 7-30-40.

John D. Kent

Walter Payne
vs.
L.L. Atkins and
L.D. Strauss
Issued July 9, 1940

Summons in Trespass
Returnable to the first Monday
of August next.
July 9, 1940, Statement of claim
filed. 2 copies certified.
July 30, 1940, Affidavit of defens...
filed.

Tax & writ (paid) $2.00
Shff. Smith pd. 10.20
Pro. Slayton 8-6-43. pd. 13.50
Jury Fee 8-6-43. Pd. 4.00
Atty 8/6/43. pd. 3.00
Pro. addl. includes disc + ... 9.75
Shff's Bill of Costs 31.95

Now, Oct. 29, 1942, defendants motion for the granting of a new trial is dismissed, the rule to show cause granted thereon is discharged and a new trial is refused.
Per Curiam.
(See opinion of Court filed)
July 9, 1943, Shff's Bill of costs filed, $31.95

And now, Aug. 6, 1943, upon payment of the jury fee judgment is hereby entered on the verdict.
Debt $180.92
Interest from Jan. 14, 1942.
Judgment
Paul D. Slayton,
Prothonotary
A. page 70; St. page 178.
And now, Sept. 12, 1944, this judgment is satisfied of record.
Paul D. Slayton
Prothonotary.

On Fall Trial List, 1940. No. 45.
Writ returned Served the within Summons, together with copy of Statement of Claim personally on L.L. Atkins at his place of business, Water street in the Borough of Conneaut, Crawford County, Pa. on July 15, 1940 @ 10:45 o'clock A.M. by handing to him a true and attested copy of the within Summons together with copy of Statement of Claim and making contents of same known to him. Also served the within Summons together with copy of Statement of Claim personally on L.D. Strauss on July 15th 1940 at 11:30 o'clock A.M. at his place of business 889 Park avenue City of Meadville Crawford County Pa. by handing to him a true and attested copy of the within Summons together with copy of Statement of Claim and making contents of same known to him. So answers Harry B. Smith Sheriff.
On Winter Trial List, 1941, No. 27.
Jany 6, 1941, continued on application of Defts, and marked Remanet.
Per Curiam.
On Spring Trial List, 1941, No. 7.
March 3, 1941, continued by consent of Counsel. Per Curiam.
On Fall Trial List, 1941; No. 42.
On Winter Trial List, 1942; No. 9.
And now, Jany 12, 1942, Jury selected and sworn as follows:- 1- Mrs Velma Careless, 2- Charles S. Willis, 3- Astley Free, 4- Fred Ne... 5- John Robbins, 6- Mrs Anna Teege, 7- Grant R. Wilson, 8- Walter Mit... 9- Richard Holden, 10- James D. Hagen, 11- Mrs Kate VanHorne, 12- Kay Stevens: twelve good and lawful persons, who upon their solemn oaths which they have taken, say Jan. 14, 19... they find for the plaintiff in the sum of $165.00, with interest from June 5, 1940, $15.92, in all $180.92.
A. page 70; St. page 170.
And now, Jany 15, 1942, Motion by defts for a new trial filed, and a rule to show cause is granted, returnable sec. reg.; and an order is granted on the Stenographer to transcribe the notes of testimony and charge of the Court into longhand and file the same among the records of the Court.
(See paper filed)
Per Curiam.
Feb. 6, 1942, "Transcription of Testimony of Trial," filed.
Feb. 11, 1940, Defts additional reasons for a new trial filed.
On Argt. List for Feb. Term, 1942, No. 2. Feby 24, 1942. Argued.

SEPTEMBER TERM, 1940

Joseph H. Goldstein
Warren Pa.
Thomas & Kiebort
121

attest: Jno. M. 9/3/40.

Now Apr. 11, 1942 this case is settled and discontinued
Joseph H. Goldstein
Thomas & Kiebort
Attys for Plffs.

Nils G. Hoagvall and James P. Thomas
vs.
O. A. Holder
Issued July 9, 1940

Tax & writ (paid)	$	2.00
Shff. Smith Paid		8.50
Pro. Slayton 4/11/42. Pd.		6.10
Atty.		3.00

Summons in Trespass,
Returnable to first Monday of August next
Writ returned & filed now July 10-1940 Mcauley. deputy the Sheriff or his deputy of Allegheny County Penna to serve this writ
Harry B. Smith Sheriff of Crawford Co. Pa. Served the within Summons on O. A. Holder by deputizing the Sheriff of Allegheny County Penna. as per his return here to attached. So Ans. Harry B. Smith Sheriff
On the 16th day of July, 1940 served O. A. Holder, at No. 386 Arden Road, Mt. Lebanon Tp., Allegheny County, Pa., with a true and attested copy of the within writ, by handing the same to and leaving with Bertha Holder his wife, an adult member of his family, at their dwelling place, and making known to her the contents thereof. So answers John Keinz,
Sheriff, Allegheny County, Penna
Dennis Laird, Deputy Sheriff.

March 3, 1941. Statement of claim filed. Service accepted by Defts. Atty.

And now, March 6, 1941, On petition of Defts. Atty presented in open Court, rule granted on Plffs to show cause why they should not file a more specific Statement of Claim; all proceedings to stay meanwhile; Returnable sec. leg. Per Curiam (See paper filed)

Mar. 10, 1941. Service of rule accepted by Thomas & Kiebort, Attys for Plff. (See motion)

On Argt. List for May Term, 1941, No. 24. ~~May 27, 1941 Argued~~

May 26, 1941, Motion to amend statement of claim filed,

Order: Now, May 26, 1941, upon presentation of the foregoing motion, amendment of statement of claim is allowed as prayed for.
Per Curiam.

May 27, 1941. By agreement of counsel, rule discharged.
Per Curiam.

On Fall Trial List, 1941, No. 18.
"Oct. 9. 1941, Settled by agreement. Contd."

J. E. Bossard
122

Ivan M. Zimmerman
vs.
Helen M. Zimmerman
Issued July 9, 1940

Tax writ (atty pd)	$3.00
Shff Smith (paid)	3.90
Shff Warren Co (pd)	3.60
John C. Spencer, Master	25.00
Pro. for Co. 9/4/40. Pd.	8.10
Atty.	3.00

Sept. 3, 1940, Rec'd $35.00 costs.
P. D. S.

Sept 12, 1940
Received of Prothonotary Twenty-five and 00/100 Dollars Master Fee in the above case. — John C. Spencer

Oct. 21-1940. Recd from Prothonotary $1.90 refund on advance costs paid to Prothonotary
J. E. Bossard, Atty

Subpoena in Divorce
And now, July 9, 1940, Subpoena awarded, Returnable to first Monday of September next.
Per Curiam
Oblare Kent, P.J.

Subpoena returned:-
(a) Served the within Subpoena in Divorce upon Helen M. Zimmerman, the respondent within named, on the 11th day of July 1940, at 5:25 o'clock P.M., daylight saving time, by handing a true and attested copy of this personally to the said Helen M. Zimmerman, respondent, by making known to her the contents thereof, at the residence of her mother, Mrs. Elizabeth Anderegg, 114 Canton Street, in the Borough of Warren, Warren County, Penna. So answers W. C. Stuart, Sheriff of Warren County.
(b) Served the within Subpoena in Divorce on Helen M. Zimmerman, Respondent, by deputizing the Sheriff of Warren County, Penna., as per his return hereto attached. So answers Harry B. Smith, Sheriff.

And now, Sept. 3, 1940, John C. Spencer is hereby appointed Master in Divorce in the above entitled case. Per Curiam.

Sept. 12, 1940 Testimony and Report of Master filed.

On Arg. List for Sept. Term, 1940, No. 50.

Now Sept. 30, 1940 After due consideration a divorce is decreed as prayed for. Decree. Per Curiam.

And now to wit Sept 30 A.D. 1940 this cause came to be heard on libel subpoena, proof of service, proceedings and evidence thereon duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered, adjudged & decreed, That the said Ivan M. Zimmerman & Helen M. Zimmerman be forever separated from the nuptial ties and bonds of matrimony here to fore contracted between him the said Ivan M. Zimmerman the libellant, and the said Helen M. Zimmerman the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, of any thing here to fore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

SEPTEMBER TERM, 1940

Dickson Andrews
123

123

Benton Gilmore and Elda Gilmore, now use of Quaker State Refining Corporation
vs.
William Dunn, Frank Dunn and Merle Dunn, Executor of Thomas G. Dunn, otherwise T. G. Dunn, deceased
Entered July 9, 1940

Pro Slayton (7/10/40 Paid) $ 2.25
Atty 3.00

Of No. 99 September Term, 1935
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the undersigned defendants for the sum of Three Thousand Seven Hundred Thirty-eight and 90/100 Dollars, being the amount of debt, interest to June 21, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Dated June 21, 1940.

Signed, Sealed and Delivered in the presence of John R. Peebles

William Dunn (Seal)
Frank Dunn (Seal)

(Corporate seal)

Quaker State Oil Refining Corporation,
By I. Nesser V. President

Debt $3738.90
Interest from June 21, 1940
D. pages 136+52
Judgment
Paul D. Slayton, Prothy

Feb. 6, 194[illegible], Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

Dickson Andrews
Atty for Use Plaintiff

G. Wayne Altenburg
124

Leva Ruth Johnson
vs.
William E. Johnson
Issued July 10, 1940

Tax & writ (paid)	$ 3.00
Sheriff Smith	---
J.M. Prather on sub (pd)	2.25
Chas. B. Stegner, Master	25.00
Pro. for Co. 9-24-42 Pd.	8.60
Atty.	3.00

Sept. 24, 1942, Recd. $33.60 costs
P.P.S.

and now Sept. 25, 1942
Recd of Paul D. Shafer
Esq. master fee & costs.
Chas. B. Stegner
master.

Subpoena in Divorce

And now, July 10, 1940, the within petition presented and Subpoena awarded, returnable to the first Monday of September, 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: John M. Pratt Constable, makes affidavit and returns: That he served William E. Johnson, the within named respondent, with a copy of the within subpoena and notice to appear and answer, by handing to him at Gresham, Pennsa., on July 11, 1940, a true and attested copy of the within subpoena and notice to appear and answer, and making known to him the contents of the same."

And now, September 24, 1942, Charles B. Stegner, Esq., is appointed Master as prayed for.

Per Curiam,

Sept. 26, 1942, Testimony and Report of Master filed.

On Argt. List for Sept. Term, 1942; No. 76.

Sept. 28, 1942, Affidavit of non-military service of respondent filed.

Now October 16, 1942, after due consideration a divorce is decreed as prayed for and the respondent, William E. Johnson is ordered to pay the cost of this proceeding.

Per Curiam
O. Clare Kent P.J.

Decree

And now, to-wit: October 16, A.D. 1942, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed, That the said Leva Ruth Johnson, be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Leva Ruth Johnson the libellant, and the said William E. Johnson, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

SEPTEMBER TERM, 1940

Stuart A. Culbertson
125

Lillian Dorothy Davison
vs.
Raymond L. Davison
Issued July 10, 1940

Tax Writ paid 7/16/40	$ 3.00
Shff. Smith (paid)	3.20
Fred C. Kebort, Jr. Master	25.00
Pro. for Co. 9/4/40. Pd.	8.10
Atty.	3.00

Aug. 27, 1940: Received 35.00 Costs. P.D.&F.M.

Received of Paul Clayton
$25.00 Master Fees.
F.C. Kebort Jr.
Sept. 16, 1940 Master

And now Oct 22 1940 Rec'd Pro Hyp D. $1.00 Record on advance costs.
Stuart A. Culbertson
Atty for Libellant

Subpoena in Divorce

And now July 10, 1940 the within petition presented, and Subpoena awarded, returnable to the first Monday of September, 1940

Per Curiam,
O. Clare Kent P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 18th day of July 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above

So answers Harry B. Smith, Shff.

And now, September 3, 1940, Fred C. Kebort, Jr. Esq., is hereby appointed Master to take testimony in the above entitled case and make report to the court,

Per Curiam.

Sept. 16, 1940, Testimony and Report of Master filed,

Def. Argt. List for Sept. Term, 1940, No. 51.

Now Sept. 30, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Raymond L. Davison, is ordered to pay the cost of this proceeding. Per Curiam.

Decree And now to wit September 30, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceeding, and evidence therein, duly taken and filed of record, and it appearing to the court that the cause set forth in said libel are true, it is by the court ordered, adjudged and decreed, That the said Lillian Dorothy Davison the libellant, and the said Raymond L. Davison the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married before

Per Curiam.

May 24, 1944, Lillian Dorothy Davison files her declaration of intention to resume her maiden name, Lillian Dorothy Graham. (see paper filed)

Paul E. Thomas
126
F. Joseph Thomas

E. A. Brooker
vs.
Joseph Vankorngut
Issued July 10, 1940

Tax Writ (paid) $2.00
Shff Smith paid 5.70
Pro. Slayton 12/26/40, Pd. 3.25
Atty 3.00

Summons in Assumpsit
Returnable to first Monday of August next.

July 10, 1940, Statement of claim filed.

July 19, 1940, F. Joseph Thomas Esq. appears for Defts. (See paper filed)

July 26, 1940, upon filing affidavit of defts and on motion of F. Joseph Thomas, Esq., his attorney, rule granted on the plaintiff to show cause why he should not give security for costs. Returnable sec. leg. and sec. reg. All proceedings to stay meanwhile. Per Curiam. (See paper filed.)

Same day, Service of rule accepted by Plffs Atty.

On Argt. List for Sept. Term, 1940, No. 23.

Sept. 25, 1940, by consent of counsel for plaintiff, Rule for security for costs is made absolute, security to be filed within fifteen days from this date, or judgment of non pros.

Per Curiam.

Served the within summons together with a copy of Statement of Claim personally upon Joseph Vankorngut at the Brandywine Granby Co. Conshohocken Lafayette Borough, Montgomery County, this 12th day of July, 1940 at 3:10 o'clock P.M. by handing to him a true and attested copy of the writ in summons together with handing to him a true and attested copy of Statement of claim and making known contents of same known to him so answer

Harry B. Smith, Shff

And now, Nov. 6, 1940, upon praecipe of defendants attorney, judgment of non pros. is entered against E. A. Brooker, the plaintiff, for failure to file security for costs as directed by order of Court. (See paper filed.)

Br. page 153

Judgment of Non pros.
Paul D. Slayton, Pro.

Geo. B. Magee, Jr.
1279
Leland J. Culbertson, and
H. L. Wickey Beck, Harrisburg

Francis M. Dourbeer
vs.
Effie L. Dourbeer
Issued July 12, 1940

Tax & writ (paid)	$ 3.00
Shff Smith (paid)	2.90
Shff. Perry Co. (paid)	5.80

Subpoena in Divorce

And now, July 3, 1940, the within petition presented in open Court and Subpoena awarded, returnable to the first Monday of September, 1940.

Per Curiam,
O. Clare Kent, P.J.

Aug. 6, 1940: Writ returned: "Served Effie L. Dourbeer, the within-named respondent, by handing to her personally, July 20, 1940, at 10:15 A.M., at the residence of Edward Evans, 428 Mulberry St., Newport, Perry Co., Pa., a true and attested copy of the within Subpoena in Divorce, and by making known to her the contents of the same." Do answers, Lawrence L. Mohler, Sheriff of Perry Co., Pa. "Served the within Subpoena in Divorce on Effie L. Dourbeer, Respondent, by deputizing the Sheriff of Perry County, Pa., as per his return hereto attached." Do answers,
Harry B. Smith, Sheriff.

And now, Sept. 3, 1940, upon presentation of petition of respondent, the Court grants a rule upon libellant to show cause why he should not pay to respondent counsel fees and costs in defense of the said suit; all proceedings to stay meanwhile.

(See paper filed)

By the Court.

Thomas & Kiebort

128

Dupont R. Gilbertson

Attest: J.H.M. 7-23-40.

Feby. 4, 1941 Paid $35.00 costs.
P. D. S.

2/10/41. Received Masters Fee $25.00
John H. Bozic
Master

R. P. Linn

vs.

Katherine Linn

Issued July 12, 1940

#

Tax & writ Pd.		3.00
Shff. Smith (paid)	#	2.90
Shff. Clearfield Co. (paid)	#	3.60
John H. Bozic, Master		25.00
Bro. for Co. 2-4-41. Pd.		10.00
Atty.		3.00
Bro. for Co. 2/13/41. Pd.		2.35

Returnable sec. reg.

(See paper filed) Service accepted.

Aug. 6, 1940 Libellants answer to rule for alimony, etc. filed. Service accepted

Aug. 3, 1940: Writ returned: Amexed affidavit executed by John J. Sharkey, Sheriff of Clearfield Co., Pa., cites that on July 1940, at 10:50 a.m., he served the Subpoena in Divorce on Katherine Linn, respondent herein, at 109 Nichols Street, Clearfield, Pa., by making known to her the contents thereof and by handing to her a true and attested copy of the Subpoena, personally. "Served the within Subpoena in Divorce on Katherine Linn, Respondent, by deputizing the Sheriff of Clearfield County, Pa., as per his return hereto attached."

So answers, Harry B. Smith, Dy.

On Argt. List for Nov. Term, 1940 No. 73.

Nov. 25, 1940, Continued by agreement of Counsel. Per Curiam

Feb. 3, 1941 Motion by Stuart A. Culbertson, Esq. for leave to withdraw his appearance for respondent and for discharge of rule, filed.

And now, February 3, 1941, the within motion is hereby granted, and the rule to show cause granted July 23, 1940, is hereby discharged.

(See paper filed)

Per Curiam

And now, Feby. 4, 1941, on presentation of within motion John H. Bozic, Esq., is hereby appointed Master to take testimony in the above case.

Per Curiam,

Feby. 15, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 21.

March 3, 1941, After due consideration a divorce is decreed as prayed for upon payment of costs in the proceeding by libellant.

Per Curiam,

Subpoena in Divorce

And now, July 12, 1940 Subpoena awarded, returnable to the first Monday of September, 1940.

Per Curiam,

O. Clare Kent, P.J.

And now, July 23, 1940, upon presentation of petition of respondent and on motion of Stuart A. Culbertson her attorney, a rule is granted on the libellant to show cause why he should not pay the respondent alimony pendente lite and counsel fee.

Per Curiam,

O. Clare Kent, P.J.

—Decree—

And now, to wit, March 3, A.D. 1941. this cause coming on to be heard on libel subpoena - subsequent proceedings, and evidence thereon duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed. That the said R. P. Linn be divorced and for ever separated from the nuptial ties and bonds of matrimony heretofore contracted between the said R. P. Linn the libellant and the said Katherine Linn the respondent and that thereafter all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time hereafter in consequence of said libel and to marry again as if said marriage shall cease and determine, and the the said respondent shall severally be at liberty as if they had never been married, save

Per Curiam

John N. Bozic

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Thomas & Kubat for Gelvin, Jackson & Starr Garnishees
attest: gnm. 9/13/40.

Personal Finance Company of Meadville Pa.,

vs.

Harold Aldrich, also known as Harold Norman Aldrich, defendant, and The Fidelity and Guaranty Fire Insurance Company of Baltimore, Maryland and Gelvin, Jackson & Starr, agents of said Company, Garnishees

Issued July 12, 1940

	#
Jay & writ (paid	2.75
Shpp. Smith paid	3.25
Atty. for Garnishee	10.00
Atty.	3.00

Of No. 378 May Term, 1938, D & B.
Attachment Execution
Returnable to next term.
Writ returned 9/16/40. Attached as within named the goods, chattels, moneys and credits and effects of the defendant Harold Aldrich, also known as Harold Norman Aldrich, in the hands of The Fidelity & Guaranty Fire Insurance Company of Baltimore Maryland and Gelvin Jackson & Starr of Meadville Pa. agents for the Fidelity & Guaranty Fire Insurance Company of Baltimore Maryland Garnishees, on the 15th day of July 1940 @ 1:35 P.M. and declaring in Presence of credible witness of the neighborhood that the said goods, moneys, estate and effects were attached as the goods & effects of the defendant in the hands of the said Garnishees, and at the same time summoned the said The Fidelity & Guaranty Fire Insurance Company of Baltimore, Maryland and The Gelvin Jackson & Starr of Meadville Pa. Agents for the Fidelity & Guaranty Fire Insurance Company of Baltimore, Maryland & D. B. Starr Member of the firm of Gelvin Jackson Starr at their office Crawford County Trust Co. Bldg. Chestnut & Market Sts. City of Meadville as Garnishee by handing a true and attested copy of the writ with in writ to Crawford County Pa.; and making contents of same known to him.
No service as to Harold Aldrich, also known as Harold-Norman Aldrich defendant
So answers Harry B. Smith
Sheriff.

Nam Jan 13, 1941 the above entitled Case is settled & discontinued & ended.

Personal Finance Co. Plff.
by John N. Bozic Atty.

W O Morrow

130

National Bank of Union City, Pa.,
vs
Eva Blakeslee, Executrix of Ernest S Blakeslee, deceased,
Eva Blakeslee
Entered July 13, 1940

Pro Slayton (paid)	$ 2.25
Atty	3.00
Off on Orig	1.75

Of No 303 September Term, 1932,
Amicable Sci. Fa. sur. Judgment

It is agreed That, an Amicable action to revive the above stated judgment be entered, with the same effect as if a writ of Scire Facias had been regularly issued therein, and duly returned served personally on the defendant; and the defendant confesses judgment of revival herein in favor of the plaintiff and against the defendant for the sum of Three hundred fifty Dollars ($350.00), with interest from Jany 1, 1937 and such collection fees as may be provided in the original; with costs of suit, release of errors, and with all the waivers and conditions contained in instrument on which original judgment was entered.

Debt $ 350.00

Int. from Jan. 1, 1937

Judgment

Bl. pp. 87 & 135.

Paul D. Slayton, Pro

J. Oct. 25, 1945

Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record. First Nat'l Bank of Union City, Pa
By J. E. Gillett Atty in fact

Witness: Paul D. Slayton

George J Barco
F. C. Kiebort, Jr.
131

Leo B Jazersek
vs.
Maureen Jeanne Jazersek
Issued July 13, 1940

Tax & writ (paid) $3.00
Stuff Smith (paid) $3.20
Faris J. Thomas, Master 25.00
Pro. for Co. 9/4/40. Pd. 8.10
Atty. 3.00

Subpoena in Divorce

And now, July 13, 1940, Subpoena awarded, returnable to the first Monday of September, 1940.

Per Curiam,
O. Clare Kent, P.J.

Aug. 10, 1940: "Served the within Subpoena in Divorce on the Respondent, personally, on July 22, 1940, by delivering to her a true and attested copy of the same, and making known to her the contents thereof as appears from annexed affidavit."
Costs answered, Harry B. Smith, Shff.

And now, Sept. 3, 1940, Faris J. Thomas, Esq., is hereby appointed Master to take testimony in the above entitled divorce and to make report thereon to the Court.

Per Curiam,

Sept. 21, 1940. Testimony and Report of Master filed,
On Argt. List for Sept. Term, 1940, No. 59.

Now Oct. 1, 1940 after due consideration a divorce is decreed as prayed for.

Per Curiam,
O. Clare Kent, P.J.

Decree.

And now to-wit October 1, A.D. 1940. This cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed, That the said Leo B. Jazersek be divorced and forever separated from the marital ties and bonds of matrimony heretofore contracted between him the said Leo B. Jazersek the libellant and the said Maureen Jeanne Jazersek the respondent, and that thereupon all and every the duties, rights and claim accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; And the said libellant and respondent shall severally, be at liberty to marry again in like manner as if they had never been married.

Per Curiam

t. 3, 1940. Rec'd. $35.00 costs.
P.D.S.

pt. 21, 1940 Rec'd. master's fee in full.
L. Joseph T. Thomas, Master

Oct. 21, 1940 Received $1.20 refund
F. C. Kiebort Jr.

132

Bertha E. Obert
vs.
Riceville Lodge No 418, I.O.O.F.
Entered July 15, 1940
Pro. Slayton (paid) $2.25

Of No. 80 September Term, 1935, Apl. D.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County and duly so returned, and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Six Hundred and no/100 Dollars, being the amount of debt, interest to July 18, 1940, and costs, now due on the original judgment with all the waivers and conditions contained in the original judgment note.

Debt $600.00
Interest from July 18, 1940.
Judgment
Paul D. Slayton, Pro.

Corp. Page 107

Sept. 15, 1943, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.
Bertha E Obert

Witness: Paul D. Slayton

133

Joseph P Weidner
vs.
Mabel Isthman
Entered July 15, 1948
#
Pro Slayton (Plff paid) 2.25

Of No. 495 May Term, 1935, D.S.B.
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Six hundred forty and no/100 Dollars, being the amount of debt, interest to July 15, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt $640.00
Interest from July 15, 1940.
Judgment
Paul D. Slayton, Prothy

I page 45.

✓ July 10, 1945 This judgment assigned to Gertrude A. Weidner, Spartansburg, Pa. (See paper filed.)
July 10, 1945, Assn. Sci. Fa. to No. 1244 Sept. Term, 1945.

Geo. C Magee, Jr.

134

Commonwealth of Pennsylvania, ex relatione Mary M Fugagli

vs.

William Fugagli

Issued July 15, 1940

Pro Clayton (Paid) $5.00
Sheriff Smith (Paid) 4.60

Habeas for the three minor children of the relator Mary M Fugagli and the respondent to wit: William Fredrick aged 5 years, Richard Joseph aged 3 years and Clara Joan aged 7 months.

And now, July 15, 1940, within petition presented at Chambers and upon consideration thereof a writ of Habeas Corpus is directed to be issued herein, returnable and for hearing, Thursday, July 1940, at 9:30 o'clock A.M.

Per Curiam,
O Clare Kent, P.J.

Writ returned: Served the within Habeas Corpus on William Fugagli, on July 16, 1940, at 11:35 o'clock A.M. at No. 343 Willow Street, City of Meadville, Pa., by handing to him a true and attested copy thereof, and making contents of same known to him.

So answers Harry B Smith, Sheriff

Order: Now, July 17, 1940, in accordance with agreement of counsel for realtor and counsel for respondent, hearing in the above entitled matter is continued to Tuesday, Sept. 3rd 1940 at 1:30 o'clock P.M. It is further ordered that the realtor, Mary M. Fugagli, shall have custody of her minor child, Clara Joan Fugagli, and the respondent, William Fugagli, shall have custody of the minor children, William Fredick Fugagli and Richard Joseph Fugagli, pending hearing of and disposition of this proceeding. Per Curiam.

Sept. 17, 1940, Return of Service of Alias subpoena on witness Geraldine Walters, on July 16, 1940, filed.

And now, to wit, this 4th day of November, A.D. 1940, by agreement of the parties the following order is hereby entered in the above entitled case:

I. That the said relator, Mary M. Fugagli shall keep and retain the custody of Clara Joann Fugagli, born December 7, 1939.

II. That in like manner the said defendant, William Fugagli, shall have the custody and control of the said two children, William Frederick Fugagli, born September 27, 1934, and Richard Joseph Fugagli, ~~also~~ called "Dickie", born August 28, 19

III. That the said defendant shall have the right to visit said Clara Joann Fugagli at all reasonable times and places, and after she attains the age of four (4) years, shall have the right to take her in his custody for a period of not exceeding one (1) week each Christmas vacation

Contd on next page

SEPTEMBER TERM, 1940

John A. Bozic

135

Elizabeth Bowden, Executrix of the estate of C. W. Wood, deceased,

vs.

Paul F. Wolke and Mrs. Paul F. Wolke, also known as Barbara R. Wolke

Entered July 15, 1940

Pro. Slayton (paid) $ 2.25
Atty 3.00

Of No. 216 February Term, 1934, D.S.B.

Amicable Scire Facias sur judgment

It is agreed that the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Ten Hundred Thirteen 10/100 Dollars, being the amount of debt interest to August 1, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $ 1013.10
Int. from Aug. 1, 1940

Judgment.

Paul D. Slayton, Pro.

M pages 142, 143

1/31, 1941, Received satisfaction in full of the above judgment, debt, interest and costs, and hereby authorize the Prothonotary to satisfy the same of record.

John A. Bozic
Atty. for Plaintiff

— Record Continued from preceding page —

and two (2) weeks each summer vacation.

IV. That in like manner the said relator shall have the right of visitation to her said sons William and Richard, at all reasonable times and places, except at the home of defendants mother, Mrs. Amelia Fugaglia, and the said defendant shall take the said children to such places as relator designates in Meadville, Pa., therefor; and also shall have the right to take the said children into her custody for a period not exceeding one (1) week each Christmas vacation, and two (2) weeks of each summer vacation at her home in Franklin, Pennsylvania.

V. That the said defendant shall pay the record costs herein.

Per Curiam,
O. Clare Kent
President Judge.

(See paper filed)

Samuel Goldstock
Thomas & Thebert
136
Paul E. Shenar.
8/5/40. P.A.D.

Gettie W. Hayden
vs
Grove A. Lewis
Issued July 16, 1940

Tax & writ (paid) $ 2.00
Shff. Smith paid $ 7.70
Jury fee 10-23-42. Pd. 4.00
Pro. Fee Co. 10-23-42, Pd. 7.50
Atty. 3.00

Summons in Trespass
Returnable to first Monday of August, 1940
Writ returned 9/16/40 Served the within Summons personally on Grove A. Lewis by serving Evelyn Lewis, the latter an adult member of the family, namely, his wife at their residence in Crossings Township, Crawford County, Pa. on July 21, 1940 at 11.00 o'clock A.M. by handing to her at time and attested copy of the within Summons and making contents of same known to her.
So Answers Harry B. Smith, Sheriff

Aug. 19, 1941, Statement of claim filed. Service accepted by Defts attorney.

And now, Sept. 2, 1941, On motion in open Court, Rule granted on plff. to show cause why he should not file a more specific Statement of claim; all proceedings to stay in the mean time; said rule to be returnable in fifteen days.
(See paper filed) Per Curiam.

On Arg. List for May Term, 1942, No. 15.

May 26, 1942, By agreement of Counsel, the Rule to show cause is discharged. Per Curiam.

On Fall Trial List, 1940, No. 44.

And now, October 7, 1942, Jury selected, called and sworn as follows: 1- Earl Gleason, 2- Mrs. John Lashkosh, 3- Blaine R. Mayes, 4- Mrs. Mildred Cunningham, 5- Sam Sterrett, 6- Martha E. Anderson, 7- Mrs. Hull Greenfield, 8- George Foreman, 9- Mrs. Dorothy Falck, 10- M. C. Sweeney, 11- Joe K. Callahan, 12- O.C. Bell; twelve good and lawful persons who upon their solemn oaths which they have taken, say, October 8, 1942, they find for the plaintiff in the sum of $1500.

2 page 115.

Oct 23, 1942 Received satisfaction in full of the above judgment, debt, interest and costs, and hereby authorize the Prothonotary to satisfy the same of record.
Thomas & Thebert
By Paul E. Shenar

SEPTEMBER TERM, 1940

Thomas & Kiebort
137

Elsie Miller
vs
Owen Miller
Issued July 16, 1940

Tax & writ (paid) $3.00
Shff. Smith (paid) $2.90
Shff. Forest Co. (paid) $5.00
Gerald D. Prather, Master 25.00
Pro. for Co. 9/12/40, Pd. 8.10
Atty. 3.00

Subpoena in Divorce
And now, July 16, 1940, Subpoena awarded, returnable to first Monday of September, 1940.
Per Curiam,
O. Clare Kent, P.J.

Aug. 3, 1940: Writ returned: "Served the within Subpoena in Divorce on July 23, 1940, at 2 o'clock P.M., personally on Owen Miller at his home in Green Township, Forest County, Pa., by handing to him a true and attested copy of the same and making known to him the contents thereof." So answers, J. Bruce Hagerty, Sheriff, Forest County, Pa.
"Served the within Subpoena in Divorce on Owen Miller, Respondent, By deputizing the Sheriff of Forest County, Pa., as per his return hereto attached." So answers, Harry B. Smith, Sheriff.

And now, Sept. 11th, 1940, on presentation of within motion Gerald D. Prather is appointed Master in the above case. Per Curiam,

Sept. 18, 1940, Testimony and Report of Master filed,

On Arg. List for Sept. Term, 1940, No. 52.

Now Sept. 30, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Owen Miller, is ordered to pay the cost of this proceeding.
Per Curiam.

Decree, And now to-wit September 30, A. D. 1940, this cause came on to be heard on libel subpoena, subsequent proceedings, and evidence then in, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the court ordered, adjudged and decreed that the said Elsie Miller be divorced and forever be separated from the nuptial ties and bonds of Matrimony heretofore contracted between her the said Elsie Miller the libellant, and the said Owen Miller the Respondent; and that thenceforth all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said Marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

Oct. 11, 1940. Recd. $35.00 costs.
P. D. S.

Sept 18 1940, Received from Paul Slayton, Pro. the sum of $25.00 master's fee
Gerald D Prather
master

Oct 21-1940 - Recd of Pro. Slayton $1.90 refund of costs
FC Kuhrt

138	Fred J Bean, now use of Emma B Bean vs. A E Klingensmith of Cochranton, Pa., Otherwise Known as Howard E Klingensmith Entered July 16, 1940 Prothy Slayton (Paid) $2.25	Of No 197 February Term, 1935 Amicable Scire Facias sur Judgment It is agreed that the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Twelve Hundred Dollars, with interest from Dec 29, 1939 and costs; with all the waivers and conditions contained in the original judgment note. Debt $1200.00 Int. from Dec 29, 1939 K. page 57. Judgment Paul D. Slayton, Prothy July 16, 1945, Amd. Scire Fa. to No. 131 Sept. Term, 1945

eland J. Culbertson

139

The Federal Land Bank of Baltimore

vs.

Roy B. Williams and Annetta Williams, his wife, real owners

Issued July 17, 1940

Tax & writ (Atty pd)	$ 3.00
Rec. & mock	.50
Stiff Smith Pd.	8.30
Pro. for Co. (rcd Sep. 30/40)	3.00
Atty.	3.00

Sci. Fa. sur Mortgage recorded in Mortgage Book Vol. 181 page 412; Returnable to the first Monday of August next.

July 17, 1940, Statement, affidavit of default, and affidavit as to real owners filed.

Same day, Statement of claim filed, and two copies certified

Aug. 8, 1940, Sci. Fa. ret'd; Served the within Sci. Fa. Sur. Mortgage, together with Copy of Statement of Claim, personally, on Roy B. Williams, real owner and defendant, by serving Annetta Williams, she being an adult member of the family, namely, his wife, at their residence in Randolph Township, Crawford County, Pa., on July 19, 1940, at 2:40 o'clock P.M., by handing to her a true and attested copy of the within Sci. Fa. Sur. Mortgage, together with Copy of Statement of Claim and making contents of same known to her. Also served the within Sci. Fa. Sur. Mortgage, together with Copy of Statement of Claim, personally, on Annetta Williams, real owner and defendant, at their residence in Randolph Township, Crawford County, Pa., on July 19, 1940, at 2:40 o'clock P.M., by handing to her a true and attested copy of the within Sci. Fa. Sur. Mortgage, together with Copy of Statement of Claim and making contents of same known to her. So answers,

Harry B. Smith
Sheriff,

And now, Aug. 9, 1940, on motion of plaintiff's attorney judgment is entered against the defendants and in favor of the plaintiff for want of an appearance and affidavit of defense and liquidated at the sum of Eight Hundred Sixty-three & 38/100 Dollars, with costs of suit.

Debt	$ 863.38
Atty's. Comm. included	40.90
Interest from Aug. 9, 1940.	
Judgment	

Paul D. Slayton, Prothonotary.

N.a. - 88 & 115.

Lev. Fac. No. 67 Sept. Term, 1940.

Kenneth W. Rice
1-40
140

Sept. 3, 1940. Rec'd $35.00 costs,
P. D. S.

Sept 19, 1940 Received of the Prothonotary $25.00, master's fee in the case
Dickson Andrews
9-21-40
Received 1.70 Return of adjusted costs
Kenneth W. Rice
Attorney

Reba Woodward Fitzgerald
vs.
Herbert T. Fitzgerald
Issued July 18, 1940

Jay & writ (Atty fee)	$ 3.00
Shff. Smith Pd.	3.80
Dickson Andrews, Master	25.00
Pro. for Co. 9/4/40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce
And now, July 18, 1940, Subpoena awarded, Returnable to the First Monday of September next.
Per Curiam,
O. Clare Kent, P.J.

Sept. 3, 1940, Subpoena retd.; Served the within Subpoena in Divorce on the Respondent, personal on the 6th day of August, 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof, as appears from affidavit. So answers,
Harry B. Smith, Sheriff.

And now, Sept. 3, 1940, Dickson Andrews, Esq., is appointed Master in the above entitled case.
Per Curiam,

Sept. 19, 1940. Testimony and Report of Master filed.
O.K. Argt. List for Sept. Term, 1940, No. 53.

Now Sept. 30, 1940, After due consideration a divorce is decreed as prayed for and the respondent, Herbert T. Fitzgerald, is ordered to pay the cost of this proceeding. Per Curiam,

Divorce And now to-wit September 30, A.D. 1940 this Court came on to be heard on libel, subpoena, subsequent proceedings and evidence therein, duly taken and filed of record, and it appearing to this Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed, That the said Reba Woodward Fitzgerald be divorced and forever separated from the matrimonial ties and bonds of matrimony, heretofore contracted between her the said Reba Woodward Fitzgerald the libellant and the said Herbert T. Fitzgerald the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

J. Perry Eckels	Department of Public Assistance of the Commonwealth of Pennsylvania	Summons in Assumpsit Returnable to first Monday of August 1940 P. pages 167 R. pages 132 & 141.
141	VS	And now, July 18, 1940, Herbert A. Mook, Esq, appears for Defts., waives the issuance of a Summons, and accepts service of the same, as fully, and effectually as if a Summons were duly and regularly issued to the Sheriff of Crawford County, Pa., and by him served personally upon Ellen Peterson and Lester Randall, Executors of the will of Sarah Randall, deceased. (See praecipe) July 18, 1940, Statement of claim filed.
Herbert A Mook	Ellen Peterson and Lester Randall, Executors of the will of Sarah Randall, decd	
	Entered July 18, 1940	
✓	Entry 8/23/40. Pd. $ 1.75	
	State tax paid 4-25-41. 5 cts	
✓	dis paid 4-25-41 1.00	

And now, April 26, 1941, this case settled and discontinued of record, all costs paid.

J. Perry Eckels
Attorney for Plaintiffs

J. Perry Eckels	Department of Public Assistance of the Commonwealth of Pennsylvania	Summons in Assumpsit. Returnable to first Monday of August next. St. pages 83 & 159
142	vs.	And now, July 18, 1940, Raymond L. Miller, Esq., appears for defendant, waives the issuance of a summons, and accepts service of the same, as fully and effectually as if a summons were duly and regularly issued to the Sheriff of Crawford County, Penna., and to him served personally upon Winter J. Stuart, Executor of the will of Elma Day Stewart, deceased. (See praecipe.)
Raymond L. Miller	Winter J. Stewart, Executor of the will of Elma Day Stewart, deceased	July 18, 1940, Statement of claim filed.
	Entered July 18, 1940	
	Entry 8/23/40. Pd. 1.75	
	State tax 12-9-40. Pd. 50	
	Pro. dis. 12-9-40. Pd. 1.25	
	Atty. 3.00	

And now December 9, 1940 This case settled and discontinued of record. All costs paid

J. Perry Eckels
Attorney for Plaintiff.

Francis F. McClintock
143

B. & Ruggles
vs.
Guy M. Fish and
J. A. Winans
Entered July 18, 1940

Pro. Slayton (Plff. fd)	$ 2.25
Atty (Pd. see paper filed.)	3.00
Original Costs:	
Plff. fd	1.75
Atty McC & Beach	3.00

Of No. 490 May Term, 1935, D. S. B.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of Twenty-three Hundred Dollars, being the amount of debt and interest unpaid from Jan. 1, 1940, on $2300.00 and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.
Dated July 17, 1940

Debt $ 2300.00
Interest from Jan. 1, 1940

F page 81; W. page 118. Judgment
Paul D. Slayton, Pro.

Sept. 25, 1941, This judgment satisfied. (See paper filed.)

McDonald & Kraffert
144

Dec 12 '40 Recd $5.00 costs
P.P.S.

Feby. 5, 1941, Paid Charles N. Benedict $25.00 Masters fee by Check No. 826, P.D.S.

Edgar R. Dutcher
vs.
Mabel McC. Dutcher
Issued July 18, 1940

Tax writ (Atty pd)	3.00
Sheff Smith (paid)	1.60
Sheff Smith, alias (paid)	1.60
Sheff Smith proc	11.15
C.N. Benedict, Master	25.00
Pro. for Co. 1-25-41. Pd.	10.00
Atty,	3.00

Subpoena in Divorce

And now, July 18, 1940 a Subpoena in divorce is ordered to be issued returnable to the First Monday of September, 1940.

Per Curiam
Oblare Kent, P.J.

Subpoena retd: Sept. 2, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Shff.

Sept. 5, 1940. Alias subpoena in divorce issued, returnable to first Monday of Oct. next.

Alias Subpoena retd: And now, Oct. 7, 1940, Non est inventus as to the within named respondent.

So answers Harry B. Smith, Sheriff.

Oct. 25, 1940 Order issued for publication of Sheriff's proclamation in Divorce; returnable to first Monday of December next.

And now, Dec. 2, 1941, - - - I have made proclamation in the above entitled case according to law and caused the same to be published in the Enterprise-News, Cambridge Springs, Pa., a newspaper printed within my bailiwick once a week for three successive weeks, prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached.

So answers Harry B. Smith, Sheriff.

And now, Dec. 12, 1940, Charles N. Benedict, Esq., is appointed Master in the above entitled matter. Per Curiam.

Feby. 5, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 22.

March 3, 1941, After due consideration a divorce is decreed as prayed for upon payment of costs by libellant;

Decree

Per Curiam.

And now, to wit; March 3 - A.D. 1941 this cause came on to be heard on libel subpoena subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the court that the cause set forth in said libel are true and correct it is by the Court ordered adjudged and decreed That the said Edgar R. Dutcher be divorced and for ever seperated from the nuptial ties & bonds of matrimony heretofore contracted between him the said Edgar R. Dutcher the libellant and the said Mabel McC. Dutcher the respondent and that there upon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time hereto fore in pursuance of said marriage, shall cease and determine; And said Libellant and Respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam

Walter J. McClintock

145

Petition of Commissioners of Crawford County

for

approval of private sale to Callie F. Bartholomew of a lot with buildings in West Mead Township which was assessed in name of William Easton and sold to said County Comrs at Treasurers sale for taxes on Aug. 6, 1934

Entered July 18, 1934

Pro. Slayton	$5.00
Trib. Pub. Co.	10.75

Preliminary Order

Now, July 8, 1940, upon presentation and consideration of the within petition, the Court fixes the First Monday of August, 1940, at 9:30 o'clock A. M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford.

Per Curiam,
O. Clare Kent, P.J.

Final Order: And now, August 5, 1940, at 9:30 o'clock A. M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Callie F. Bartholomew, of Meadville, Penna., a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

Per Curiam.
O. Clare Kent, P.J.

(See paper filed Aug. 26, 1940.

Leland J Culbertson 146	The First National Bank of Greenville, Penna vs Harold D Lowing, Executor of the last will and testament of S W Lowing, dec'd, and C. T. Houk Issued July 19, 1940 Jay & writ (paid) 2.25 Shff Smith paid 7.90	Summons in Assumpsit. Returnable to first Monday of August, 1940. 2 pages 101 & 105. Writ returned 8/6/40 Served the within Summons personally on Harold D. Lowing Executor of the last will and testament of S.W. Lowing deceased on July 25-1940 @ 8.40 o'clock P.M. at his residence in the Borough of Titusville Crawford County Pa. by handing to him true and attested copy of the within Summons and making contents of the same known to him also served the within Summons personally on C. T. Houk on July 25-1940 at 8.50 o'clock A.M. at his residency in the Borough of Titusville Pa Crawford Co. by handing to him a true and attested copy of the within Summons and making contents of same known to him So answers Harry B Smith Sheriff.

SEPTEMBER TERM, 1940

Leland J. Culbertson 147	The First National Bank of Greenville, Penna. vs Harold W. Lowing, Executor of the last will and testament of S. W. Lowing deceased, and B. T. Hook Issued July 19, 1940 Tax & writ (paid) 2.25 Shff. Smith paid 4.30 to him Also served the within personally on B. T. Hook on July 25-1940, at 8.55 o'clock A.M. at his residence in the Borough of Dinsmore, Crawford County Pa. by handing to him a true and attested copy of the within summons and making contents of same known to him. So answer: Harry B. Smith Sheriff.	Summons in Assumpsit; Returnable to first Monday of August 1940. L. pages 101 & 105 Writ Returned 8/6/40 Served the within summons personally on Harold W. Lowing Executor of the last will & testament of S. W. Lowing deceased on July 26-1940 at 8.40 o'clock A.M. at his residence in the Borough of Dinsmore, Crawford County Pa. by handing to him a true and attested copy of the within summons and making contents of same known to him.

Leland J. Culbertson 148	Burt Stanford and C. O. Stanford vs. Lawrence H. Stone, Administrator of the estate of Alfred H. Stone, deceased, and Lawrence H. Stone, terre tenant. Issued July 19, 1940 Tax & writ (paid) 3.00 Rec. & proc .50 Shff. Smith Pd. 8.30 Pro. for Co. (paid 9/30/40) 3.00 Atty. 3.00	Sci. Fa. sur Mortgage record in Mortgage Book Vol. 131 page 120, Returnable to firs Monday of August, 1940 July 19, 1940, Statement and affidavit as to real owner file Same day, Statement of Cla filed, and copy certified. Aug. 8, 1940, Sci. Fa. retd.; Served the within Sci. Fa. Sur. Mortgage, together with Copy of Statement of Claim, personally, on Lawrence H. Stone, Administrato of the estate of Alfred H. Stone, late of the Borough of Cambridge Springs, deceased, by serving Ethel Stone she being an adult member of the family, namely his wife, at their residence in the Borough of Cambrid of Cambridge Springs, Crawford County, Pa. on July 2 1940, at 11:20 o'clock A. M. by handing to her a true and attested copy of the within Sci. Fa. Sur. Mortgag together with Copy of Statement of Claim and making contents of same know to her. Also served the within Sci. Fa. Sur. Mortgage, together with Copy of Statement of Claim, personally, on Lawrence H. Stone, terre tenant, by serving Ethel Stone, she being an adult member of the family, namely his wife, at their residence in the Borough of Cambridge Springs, Crawford County, Pa., on July 2, 1940, at 11:20 o'clock A. M. by handing to her a true and attested copy of the within Sci. Fa. Sur. Mortgage, together with Copy of Statement of Claim and making contents of same known to her. So answers, Harry B. Smith, Sheriff. And now, Aug. 8, 1940, on motion of plaintiff's attorney, judgmen is entered against the above defendants & terre and in favor of the plaintiff for want of an appearance and affidavit of defense and liquidated at Twelve Hundred Thirteen & 78/100 Dollars, with costs of suit, Debt $1213.78 Atty's. Comm. included 55.0 Interest from Aug. 8, 1940. Judgment Paul D. Slayton, Prothonotary. Sur. - 160 Lev. Fac. No. 66 Sept. Term, 1940.

Herbert A. Mook
Max B. Maloney
149
Joseph Thomas
(see affts. of defense)

Charles Vatter
vs.
Phillip E. Snyder
present owner & terre tenant, and Harry Snyder, former owner and contractor.
Issued July 20, 1940

Tax & writ 12-16-40 Pd.		3.00
Shff. Smith (paid)		2.90
Pro. Clayton		8.50
Atty		3.00
Costs on Lien		
Pro. Clayton	6.25	
Plff.	6.80	

Of No. 2 November Term, 1939, M.L.Doc.
Scire Facias sur Mechanics Lien filed Sept. 29, 1939 and entered in Mechanics Lien Docket No. 7, page 55. Returnable to first Monday of August next. Sr. pfs. 15 of 1941
July 20, 1940, Affidavit of ownership filed. 2 copies certified.
Sept. 23, 1940. Affidavit of defense filed. Service accepted.
On Winter Trial List, 1941, No. 32.
Jany 6, 1941 Continued on application of Defts. and marked Remanet. (Sickness of Harry Snyder)
Per Curiam

Writ retd: Service of the within Scire Fa. sur Mechanics Lien together with affidavit of Ownership was accepted by F. Joseph Thomas, Atty for Defendants, on Aug. 1, 1940, as per his acceptance of same on this writ.
So answers Harry S. Smith, Sheriff.

On Spring Trial List, 1941, No. 10.
March 3, 1941, Continued on application of Defts. on account of sickness, and marked remanet.
Per Curiam.

On Fall Trial List, 1941; No. 3.
Oct. 6, 1941 Continued on application of defendants, and marked Remanet. Per Curiam
Same day, Cert of physician as to illness of Deft. & wife, filed.
On Winter Trial List, 1942; No. 41.
Jany 5, 1942 Continued on application of Defts. and marked Remanet Per Curiam
On Spring Trial List, 1942; No. 2. "March 2, 1942 Settled"

Max B. Maloney
Herbert A. Mook
150
F. Joseph Thomas
(See Aff. of defense)

William Wentworth
vs.
Phillip E. Snyder, present owner or terre tenant, and Harry Snyder, former owner and contractor.
Issued July 20, 1940

		$
Tax & writ	12-16-40.	3.00
Shff Smith	(paid)	2.90
Pro. Clayton		8.50
Atty		
Paid on lien		0.80
Pro. Clayton on lien		0.25

Of No. 3 November Term, 1939, Mch
Scire Facias sur Mechanics Li
filed Sept. 29, 1939, and entered
Mechanics Lien Docket No. 7
page 56. Returnable to the firs
Monday of August next.
See pages 150 & 144
July 20, 1940, Affidavit of ownersh
filed. 2 copies certified.
Sept. 23, 1940, Affidavit of defense
filed. Service accepted.
On Winter Trial List, 1941, No. 31.
Jany 6, 1941 Continued on applicat
of Defts. and marked Remanet
(Sickness of Harry Snyder)
Per Curiam

Writ returned: Service of the within Sci. Fa. sur Mechanic Lien, together with affidavit of ownership, was accept by F. Joseph Thomas, Atty for Defendant, on Aug. 1, 1940, as per his acceptance of same stated on this writ
So answers Harry B. Smith, Sheriff

On Spring Trial List, 1941, No. 9.
March 3, 1941, Continued on application of defendants on account of sickness, and marked remanet
Per Curiam.

On Fall Trial List, 1941; No. 2.
Oct. 6, 1941, Continued on application of defts. and marked Remanet
Per Curiam.

On Winter Trial List, 1942; No. 3.
Jan. 5, 1942, Continued on application of defts and marked Remanet
Per Curiam

On Spring Trial List, 1942; No. 1. "March 2, 1942 Settled"

Kenneth W Rice
151

Sept. 9, 1940. Received #35.00 costs. Pltf. for Pro.

9/20/40. Received from Dft. $15.00 on account. Wm. A. Slaughter
John H. Bozic
Master

10-21-40 Received $1.00 Return of deposit costs
Kenneth W Rice
Attorney

Thomas L Heim
vs.
Julia M. Heim
Issued July 23, 1940

Tax & writ (paid) $ 3.00
Shff. Smyth (pd.) # 3.20
Bro. Slaughter 9/11/40. Pd. 8.10
John H. Bozic, Master 25.00
Atty. 3.00

Subpoena in Divorce

And now, July 23, 1940, Subpoena awarded, Returnable to the second Monday of September next.

Per Curiam,
Odelaire Shevin, P.J.

Aug. 2, 1940: Writ returned: "Served the within Subpoena in Divorce on the Respondent, personally, on the 29th day of July, 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof, as appears from annexed affidavit."

So answers, Harry B. Smyth, Sheriff

And now, Sept. 9, 1940, John H. Bozic, Esq. is appointed Master, as prayed for. Per Curiam. (See paper filed.)

Same day, Cert. of appointment issued

Sept. 20, 1940, Testimony and Report of Master filed;

On Arg. List for Sept. Term, 1940, No. 54

Now Sept. 30, 1940 After due consideration a divorce is decreed as prayed for,

Per Curiam,

Decree; And now to-wit September 30, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence there in, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered, adjudged & decreed, That the said Thomas L. Heim the libellant, be divorced and forever seperated from the marital ties and bonds of matrimony here to fore contracted between him the said Thomas L. Heim the libellant and the said Julia M. Heim, the respondent; and that thereupon all and every, the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. Per Curiam.

Walter J. McClintock 152	Petition of J. N. Ellsworth and Kate L. Ellsworth, his wife For Satisfaction of a mortgage given by Geraldine Harrison Quirk and Thomas J. Quirk, her husband, to John J. Henderson, dated April 8, 1916, and recorded in Mortgage Book Vol. 93, page 558. Entered July 23, 1940 # Pro Slayton fee 7/25/40 5.50	July 23, 1940, Petition presented, Hon. O. Clare Kent, P. J., and filed. Now, July 23, 1940, upon presentation of the foregoing Petition and upon consideration thereof and upon inspection of the record it appearing to the Court that upon the sale by the Sheriff of Crawford County of the premises described in the petition, to E. A. Henderson, at and for the price or sum of Six Thousand Five Hundred Dollars ($6500.00), and distribution thereof, shown in the Sheriff's return, showing payment to Otto Kohler, Attorney for lien creditors of Two Thousand Nine Hundred Forty-two and 35/100 Dollars ($2,942.35) being the amount of mortgage, interest and costs, and the receipt of Otto Kohler, attorney for lien creditors, contained on the writ for $6295.09 of said bid to him, including the item of mortgage, debt, interest and attorneys commission of $2942.35, and the certificate of Jeannette W. Hood, then Recorder, to the effect that on the 21st day of May, 1929, the only unsatisfied mortgage of record in her office affecting this land was the mortgage of Geraldine Harrison Quirk and Thomas J. Quirk to John J. Henderson, dated April 8, 1916, covering the land described in the petition; and it further appearing to the Court that full payment has been made of said mortgage, debt, interest and attorneys fees, Now, Therefore, it is ordered that the Prothonotary of Crawford County shall file with the Recorder of Deeds and Mortgages of Crawford County a certified copy of the writ of execution at No. 87 May Term, 1929, containing the receipt of Otto Kohler, attorney for lien creditors of the Sheriffs return, and of this order; and It is further ordered that the Recorder of Deeds of Crawford County, upon the receipt of the said certified copies of the writ of execution Sheriffs return, and of this order, mark and endorse satisfaction of said mortgage, recorded in Mortgage Book 93, page 558, on the margin thereof. Per Curiam O. Clare Kent, President Judge. (See paper filed) July 23, 1940 Certified copy of Decree with copy of execution, return and receipt therein referred to, issued.

153	In re Audit of the Finances and Accounts of the Meadville School District for the fiscal year beginning the first Monday of July, 1939 Entered July 23, 1940 Pro. Clayton 12/12/40. # Pd. 5.00	July 23, 1940, Annual Report of L.W. Koessling, City Controller of the City of Meadville, filed same day, Notice issued for publication in the Tribune-Republican.

	Springs First National Bank in Cambridge Springs vs. Geo. Acker Entered July 24, 1940 Pro. Slayton $2.50 Original costs 3.50	Of Nos 505 and 506 May Term 1935 D. Amicable Scire Facias sur Judgm It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgments with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant for the sum of Fifteen Hundred Four and 90/100 Dollars, being the amount of debt, interest to Sept. 20, 1940, and costs now due on the original judgment with all the waivers and conditions contained in the original judgment notes. Debt $1504.90 Int. from Sept. 20, 1940 Judgment. Paul D. Slayton, Pro
154		

A page 65

June 26, 1942, Writing filed wherein plaintiff releases from the lien of this judgment the following described property to-wit: An easement to construct and maintain certain electric line or lines, with appurtenances, over property of defendant as fully described in the right-of way agreement granted by defendant unto Pennsylvania Electric Company, dated April 21, 1942, and intended to be recorded forthwith.

Nov 18th, 1943, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.

~~Springs First Nat'l Bank in~~ Cambridge Springs

E. E. Sundeen

Witness: Paul D. Slayton

Thomas & Siebert
155

Leo T. Ginter
vs.
Katherine A. Ginter
Issued July 25, 1940

Tax & writ (pd) $3.00
Shff Smith 3.50
Pro. Clayton pd. 9-6-40 1.00

Subpoena in Divorce
And now, July 25, 1940 Subpoena awarded, returnable to first Monday of September, 1940
Per Curiam,
O. Clare Kent, P.J.

Subpoena rcvd. Served the within Subpoena in Divorce on the Respondent personally on the 9th day of August, 1940, by delivering to her a true and attested copy of the same, and making known to her the contents thereof.
So answers Harry B. Smith, Sheriff.

Now Sept 6, 1940, this case is hereby discontinued of record.

Thomas & Siebert, Attys for Libellant.

Kent & Kent 156 Herbert A Brook attest: [illegible] 8-16-40.	B A King vs Keystone Construction Company, of Meadville, Pa. Issued July 26, 1940 # Tax & writ (Plff. pd) 2.00 Shff. Smith paid 3.20 Pros. for Co. 11-21-40. Pd. 2.00 Atty. Pd. 11/21/40 S.K. 3.00	Summons in Trespass, Returnable to first Monday of September, 1940 Writ Returned 9/16/40 Served the Keystone Construction Company, of Meadville, Pa. the within named defendant Company by handing July 29, 1940, at 9.40 o'clock P.M. a true and attested copy of the within Summons, to B. F. Miller Treasurer of said defendant Company at the Keystone Construction Company Office 131 Mead. avenue, City of Meadville Crawford County Pa. and making contents of same known to him. So answers Harry B. Smith Sheriff. Nov. 14, 1940, Statement of claim filed. Service accepted by Defts. Atty. Nov 21, 1940, this case is settled & discontinued of record. Kent & Kent John D. Kent

J. Perry Eckels 157	Commonwealth of Pennsylvania vs Esther Stenberg Issued July 26 1940 Tax & writ 10/21/40. Pd. $2.00 Shff. Smith Pd. 9.50 Pro. for Co. 10/21/40. Pd. 2.50 Atty. 3.00	Summons in Assumpsit Returnable to the first Monday of August next. July 26, 1940, Statement of claim filed. Copy certified. Sept. 14, 1940, Writ retd.; Served the within Summons together with Copy of Statement of Claim, personally, on Esther Stenberg, on July 27, 1940, at 3:05 o'clock P. M. at No. 209 Brook Street, City of Titusville, Crawford County, Pa., by handing to her a true and attested copy of the within Summons, together with Copy of Statement of Claim and making contents of same known to her. So answers, Harry B. Smith, Sheriff.

And now, Sept. 14, 1940, on motion of plaintiff's attorney judgment is entered against the defendant and in favor of the plaintiff for want of an appearance and affidavit of defense and liquidated at the sum of Five thousand eight hundred forty-two & 68/100 Dollars, with costs of suit.

Debt $5842.68

Int. from Sept. 14, 1940,

Judgment

Paul D. Slayton, Prothy.

Aug. 6, 1945, Am. Sci. fa. to No. 208 Sept. Term, 1945.

Raymond C. Miller
158

Nov. 4, 1940 Rec'd $35.00 costs.
P. D. S.

Nov 11 1940, Rec'd from Paul Slayton, Pro., the sum of $25.00 master fees
Gerald D Prather
Master

Rec'd $1.90 refund from Pro. Slayton
R C Miller, Atty
12-27-40

Mary Taylor Christy
vs
Leon Hall Christy
Issued July 26, 1940

Tax & writ (paid)	$3.00
Gerald D. Prather, Master	25.00
Pro. for Co. 11-4-40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, July 26, 1940, the within petition presented and Subpoena awarded, returnable to first Monday of Sept, 1940

Per Curiam,
O Clare Kent, P.J.

Aug. 8, 1940. Writ returned with affidavit of service made by William G. Smith, who deposes and states that on July 31st 1940, he served at 3:40 P.M. E.S.T., a true and correct copy of the herein Subpoena in Divorce on Leon Hall Christy, the respondent, at R.D. #2, Springboro, Crawford County, Pa., and made the contents thereof known to him. See page

And now, November 4, 1940, Gerald D. Prather, Esq., is appointed Master in Divorce to take testimony on the within matter and make report thereon to the Court,

Per Curiam,

Nov. 11, 1940, Testimony and Report of Master filed,

On Argt. List for Nov. Term, 1940, No. 36

Dec. 2, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Leon Hall Christy, is ordered to pay the cost of this proceeding.

Per Curiam.

Decree.

And now to wit December 2. A.D. 1940 this cause came on to be heard on libel subpoena subsequent proceedings and evidence therein duly taken and filed of record and it appearing to the court that the causes set forth in said libel are true it is by the Court ruled adjudged and decreed:

That the said Mary Taylor Christy be divorced and for ever separated from the nuptial ties and bonds of matrimony here to fore contracted between her the said Mary Taylor Christy the libellant and the said Leon Hall Christy the respondent and that thereafter all and every the duties, rights & claims accruing to either the libellant or the said respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

J. Perry Eckels

159

F. Joseph Thomas

Department of Public Assistance of the Commonwealth of Pennsylvania,
vs.
Andrew Cooper
Entered July 26, 1940
#

Writ 4-19-41. Pd.	1.50
State tax	.50
Pro. for Co. 4-19-41. Pd.	4.75
Atty.	3.00

Summons in Assumpsit, Returnable to First Monday of August next.

And now, July 26, 1940, F. Joseph Thomas, Esq., appears for defendant, waives issuance of a summons, and accepts service, as fully and effectually as if a summons were duly and regularly issued to the Sheriff of Crawford County, and by him personally served upon the defendant according to law, and due return made thereof; and also accepts service of a true and attested copy of the statement of claim. (See praecipe)

July 26, 1940, Statement of claim filed. Copy certified.

Aug. 10, 1940 Affidavit of Defense, raising question of law, filed. Service accepted.

On Argt. List for Sept. Term, 1940, No. 6. Sept. 24, 1940 Argued.

Nov. 4, 1940, Opinion of Court filed.

Now, Nov. 4, 1940, in accordance with these conclusions, the affidavit of defense raising questions of law, is overruled. Leave is granted plaintiff to amend his statement of claim as to ownership of the real property within ten (10) days from this date, after which defendant shall have fifteen (15) days to file an affidavit of defense to the merits. (See opinion filed) Per Curiam.

Nov. 25, 1940, Amendment to Statement of claim allowed by the Court and filed.

And now, March 22, 1941, on motion of plaintiff's attorney judgment is entered in favor of the plaintiff and against the defendant in the sum of three hundred seventy-nine & 70/100 dollars, with costs of suit, for want of an affidavit of defense.

Debt $379.70
Judgment
Paul D. Slayton, Prothy.

Co. 44,

April 11, 1946, Am. Scr. Fa. to No. 166 May Term, 1946.

J. A. Bolard
160

J. A. Bolard
vs.
Howard Lugenbeal
Executor of the estate
of Nettie Parker Orr,
deceased.
Issued July 29, 1940.

Tax & writ (paid)	$	2.25
Shff. Smith		7.30
Pro. for Co. 12-7-42. Pd.		3.00
Atty.		3.00

Summons in Assumpsit.
Returnable to first Monday of September next.
L page 33; D page 65.

July 29, 1940, Statement of claim filed. Copy certified.

Writ returned 9/3/1940 Served the within summons together with copy of Statement of Claim personally on Howard Lugenbeal Executor of Estate of Nettie Parker Orr deceased by serving Iona Lugenbeal, Wife an adult member of the family namely his wife, on August 1st 1940 at 1:45 o'Clock P.M. at No 416 S. Main St. in the Borough of Cambridge Springs Crawford County Pa by handing to her a true and attested copy of the writ in Summons together with copy of Statement of Claim and making contents of same known to her. So Answers Harry B. Smith Sheriff.

And now, Dec. 7, 1942, on precipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an affidavit of defense or answer, and same is liquidated at the sum of one hundred twenty-six & 55/100 dollars, with costs of suit.

Debt	$126.55
Interest from Dec. 7, 1942	
Judgment	

Paul D. Slayton, Prothy.

L page 115; D page 65.

Nov. 27, 1944

Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

L. A. Bolard
Atty

Witness: Paul D. Slayton, Pro.

161	Lillie Stallsmith vs Laura G. Wotring Entered July 29, 1940 Pro. Slayton (paid) $2.25	Of No. 177 September Term, 1935, Appt. Doc Amicable Scire Facias sur Judgment It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly returned, and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of One hundred Dollars, being the amount of debt, interest and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt $100.00 Interest ? No. page 11. Judgment Paul D. Slayton, Pro March 3, 1943 This Judgment is Satisfied (see paper filed)

Anna S. Hamilton
now use of
Mack W. Smith,
vs
S. R. Bunting
Entered July 30, 1940
Pro. Slayton (paid) 2.25

162

Of No. 471 May Term, 1935 D.J.B.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personably on the defendant by the Sheriff of said county, and duly so returned, and that a judgment be entered thereon in favor of the plaintiff, and against the defendant, for the sum of Five hundred and no/100 Dollars being the amount of debt, interest to July 8, 1935, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment no

Dated July 29, 1940
Signed, Sealed and Delivered in presence of
(Sgd) Mrs. Roy Bunting
(Sgd) Mrs. Elsie Smith

(Sgd) D. R. his mark Bunting (Seal.)
(Sgd) Mack W. Smith (Seal)

Debt $500.00
Interest from July 8, 1935
Judgment
Paul D. Slayton, Prothy.

Bk. page 100.

May 27, 1942, Writing filed wherein plaintiff releases from the lien of this judgment the following described property, to-wit: An easement to construct and maintain certain electric line or lines, with appurtenances, over property of defendant as fully described in the Right-of Way Agreement granted by defendant unto Pennsylvania Electric Company, dated the thirtieth day of March, 1942, and intended to be recorded forthwith.

September 25, 1942 This judgment is Satisfied (see paper filed)

Raymond C. Miller
163

Ida Lucille Hutchinson
vs.
Leo Brady Hutchinson
Issued July 31, 1940

Tax & writ (paid) $ 3.00
Wm. G. Smith on Sub
Ralph F. Joyce, Master 25.00
Pro. for Co. 9/4/40, Pd. 8.10
Atty. 3.00

Subpoena in Divorce

And now, July 31, 1940, the within petition presented, and Subpoena awarded, returnable to the first Monday of September, 1940

Per Curiam
O. Clare Kent, P.J.

Subpoena rets'd. William G. Smith makes affidavit: That on the first day of August, 1940, at 9:25 P. M. e.s.t., he duly served a true and correct copy of the within Subpoena in Divorce upon Leo Brady Hutchinson, the within named respondent, by handing him a true and correct copy of this subpoena, and making the contents thereof known to him, at 388 Baldwin Street, Meadville Pa., said respondent admitted that he was the respondent named herein. (See affidavit on subpoena)

And now, Sept. 3, 1940, Ralph F. Joyce, Esq. is appointed Master in Divorce to take testimony in the above case and make report thereon to the Court.

Per Curiam,

Sept. 11, 1940. Testimony and Report of Master filed,

On Arg. List for Sept. Term, 1940, No. 55.

Now Oct. 1, 1940 After due consideration a divorce is decreed as prayed for, the respondent, Leo Brady Hutchinson, is ordered to pay the cost of this proceeding and the custody of minor children Clara Audene and Robert Leo Hutchinson is awarded to libellant, Ida Lucille Hutchinson.

Per Curiam.

Decree

And now, to wit, Oct 1 A.D. 1940. This Court came on to be heard on libel, subpoena, proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the court ordered adjudged and decreed. That the said Ida Lucille Hutchinson be dis'ed and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Ida Lucille Hutchinson the libellant and the said Leo Brady Hutchinson the respondent and that thereupon all and every the duties rights & claims accruing to either the said libellant or the said respondent at anytime hereto fore in pursuance of said marriage, shall cease and determine, and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. It is further ordered and decreed that the custody of minor children Clara Audene and Robert Leo Hutchinson is awarded to libellant, Ida Lucille Hutchinson

Per Curiam

Oct. 3" 1940. Rec'd $35.00 costs.
P.D.S.

Oct 11, 1940. Rec'd $35.00
Master's Fee. Ralph F. Joyce.

October 4, 1940 Rec'd $1.90
on p.s. Clayton refund.
Raymond C. Miller
Atty. for Petff.

Stuart A. Culbertson 164	Ellen P. Myers vs. Robert W. Myers Issued July 31, 1940 Tax & writ (paid) 3.00 Shff. Smith (paid) 1.60	Subpoena in Divorce And now, July 31, 1940, the within petition presented, and Subpoena awarded, returnable to the first Monday of September, 1940. Per Curiam, O. Clare Kent, P.J. Subpoena returned: Sept. 2, 1940. Non est inventus as to the within named respondent. So answers Harry B. Smith, Shff.

Peters & Prather
165

Laurence M. Peterson
Vs.
Alice S. Peterson
Issued July 31, 1940

Tax & writ (paid) $ 3.00
C.D. Kost on Sub.
J. E. Henretta, Master 25.00
Pro. for Co. 4-8-41. Pd. 8.10
Atty. 3.00

Subpoena in Divorce.
And now, July 31, 1940, Subpoena awarded, Returnable to first Monday of September, 1940.
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: C.D. Kost makes affidavit: That she served the within Subpoena in Divorce personally upon Alice S. Peterson the respondent therein named, on the 3d day of August, 1940, at 12:50 o'clock P.M., by delivering to her a true and attested copy thereof at her place of employment, at Lorenzos restaurant, 888 Water Street, Meadville, Pa, and by making known to her the contents thereof. (See Affi. on Subpoena)

And now, April 7, 1941, upon presentation of the within motion J. E. Henretta, Esq., is hereby appointed Master to take testimony in the above case.
Per Curiam.

April 8, 1941, Rec'd. $33.10 costs. P.D.S.

April 14th 1941 Received my fees as master in above case,
J. E. Henretta
Master

April 14, 1941, Master's report and testimony filed.
On Argt. List for May Term, 1941; No. 33.

June 2, 1941 After due consideration a divorce is decreed as prayed for,
Per Curiam,
O. Clare Kent, P.J.

Decree

And now to wit: June 2. 1941 A.D. this Cause came on to be heard on libel subpoena subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed.

That the said Laurence M. Peterson be divorced and for ever seperated from the nuptial ties and bonds of Matrimony here to for contracted between him the said Laurence M. Peterson the libellant and the said Alice S. Peterson the respondent, and that they upon all and every the duties, rights, and claims accruing to either the said libellant or the said respondent at any time here to fore in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married

Per Curiam

J. E. Bossard
166

Sept. 3, 1940. Recd. $35.00 costs.
P. D. S.

Sept 13-1940 - Rec'd $25.00
Master's fees.
Geo. C. Magee Jr.

Oct. 21-1940. Recd from Paul W. Slayton, Prop. - $1.20 being refund for advance costs paid to Prothonotary.
J. E. Bossard - Atty

Pearl C. Sherman
vs
Harold Lee Sherman
Issued July 31, 1940

	$
Tax & writ pd. 8/1/40 -	3.00
Shff. Smith Pd.	3.20
George C. Magee, Jr. Master	25.00
Pro. for Co. 9/4/40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce
And now, July 31, 1940, Subpoena awarded, Returnable to the first Monday of September, 1940
Per Curiam
O. Clare Kent, P.J.

Sept. 3, 1940, Subpoena rec'd: Served the within Subpoena in Divorce on the Respondent, personally on the 8th day of August, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit. So answers,
Harry B. Smith, Sheriff

And now, Sept. 3, 1940 George C. Magee, Jr. Esq., is hereby appointed Master in Divorce in the above entitled case, Per Curiam,
Sept. 13, 1940, Testimony and Report of Master filed.
On Arg'r List for Sept. Term, 1940, No. 56.
Now Oct. 1, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Harold Lee Sherman, is ordered to pay the cost of this proceeding. Per Curiam,
O. Clare Kent, P.J.

Decree. And now to wit October 1, A.D. 1940 this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly testified and filed of record and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged & decreed, That the said Pearl C. Sherman be divorced and forever separated from the matrimonial ties & bonds of matrimony heretofore contracted between her the said Pearl C. Sherman the libellant and the said Harold Lee Sherman the respondent: and that either of them and every the duties, rights and claims accruing to either the said libellant or the said respondent shall severally be at liberty to marry again in like manner as if they had never been married
Per Curiam.

SEPTEMBER TERM, 1940

Kent & Kent 167	Arthur E. Byham doing business as A. E. Byham & Son vs Kyle J. MacMurtry Executor of estate of Mary K. MacMurtry, deceased. Issued July 31, 1940 Tax & writ (9/13/40 paid) 2.25 Shff. Smith paid 2.00 Pro. Clayton (paid) 1.00	Summons in Assumpsit, Returnable to first Monday of September next M. T. 1940. Writ Rt 9/13/40 Now Aug 20-1940 service of the within Summons was accepted by John Schuler, Attg. for Kyle J. MacMurtry Executor of Estate of Mary K. MacMurtry deceased So Answers Harry B. Smith Sheriff

Sept 13, 1940, having received satisfaction in full of this claim, interest and costs, this action is discontinued.
Kent & Kent
Atty's for Plaintiff.

Leland J. Culbertson 168	Fleata J. Greer vs William J. Greer Issued Aug. 1, 1940 # Tax & writ (paid) 3.00 Stff. Smith (paid) 7.30	Subpoena in Divorce and for the custody of the children of the parties, to wit: Joyce Ann Greer aged five years, Phyllis Jean Greer aged four years, and Rexford Earl Greer aged six months. And now August 1, 1940, Subpoena awarded, Returnable to first Monday of Sept. next. Per Curiam, O. Clare Kent, P.J. Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 5th day of August, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above So answers Harry B. Smith, Sheriff

John N. Bozic
169
Edward A. Gilmartin
Attest: J.T.M. 9/3/40

William Wagner
vs.
Julia Wagner
Issued Aug. 1, 1940

	$
Tax & writ (paid)	3.00
Stiff Smith (paid)	3.20
John Schuler, Master	25.00
Pro. for Co. 2-3-41. Cl.	10.00
Atty.	3.00
Pro. balance on rule 2-3-41. Sd.	1.85

Feby. 3, 1941, Recd. $35.00 costs
C. D. L.

Feb. 18, 1941 Recd of Pro
Clayton $25.00 Masters fee
in this case
John Schuler
Master

Subpoena in Divorce
And now, August 1, 1940 Subpoena awarded, Returnable first Monday of September next.
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 1st day of Aug. 1940, by delivering to her a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit as above. So answers Harry B. Smith, Sheriff

And now, Sept. 3, 1940, upon presentation of petition of the respondent, a rule is granted upon the libellant to show cause why he should not pay the respondent alimony pendente lite and counsel fees. Returnable sec. leg.
(See paper filed)
Per Curiam.

Same day, Service accepted by Atty for Libellant.

Feby. 3, 1941, Motion for leave to withdraw appearance and discharge of rule filed; Order; And now, February 3, 1941, the within motion is hereby granted and the rule to show cause granted September 3, 1940 is hereby discharged.
Per Curiam.

And now, February 3, 1941, John Schuler, Esq., is appointed Master to take testimony in the above entitled case and make report to the Court.
Per Curiam.

Feb 3, 1941, Proof of service of notice of hearing upon Elmer Baldwin and David Rockwell co-respondents, filed.

Feby. 18, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 23.

March 3, 1941, After due consideration a divorce is decreed as prayed for, upon payment of costs by the libellant, the custody of minor son, William Wagner, Jr., is awarded to libellant, William Wagner, and it is further ordered that the decree herein shall contain the statutory prohibition against the marriage of respondent with either of the paramours named during the lifetime of the injured and innocent spouse. — Decree —
Per Curiam,

And now, to wit; March 3, A.D. 1941, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record and it appearing to the Court that the causes set forth in said Libel are true, it is by the Court ordered adjudged and decreed, That the said William Wagner be divorced and for ever separated from the nuptial ties, rights & bonds of matrimony heretofore contracted between him the said William Wagner the libellant and the said Julia Wagner the respondent and that thereupon for all and every the future rights and

Cont on margin

aims accruing to either the said libellant or the said respondent at any time hereafter in pursuance of said decree shall cease and determine and the said libellant shall be at liberty to marry again as he would as if he had never been married. It is further ordered and decreed that the custody of minor son William Wagner is awarded to libellant William Wagner, and it is further ordered and decreed that the respondent Alice Wagner, is prohibited from marrying David Rockwell or Elmer Baldwin the paramours named in her case during the lifetime of libellant William Wagner.
Per Curiam.

Walter J McClintock 170	Petition of Commissioners of Crawford Co. for approval of private sale to George E Nagel Jr of lot in Bloomfield Tp, assessed in name of Aline Williams, and sold to said Comrs at Treasurers sale for taxes on Aug 6, 1934 Entered Aug. 1, 1940 Pro Clayton $5.00	Preliminary Order Now, August 1, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of September, 1940, at 9:40 A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford Per Curiam, (See petition) O Clare Kent, P. Final Order: And now, September 3, 1940 at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, George E Nagel, Jr, of Titusville, Penna a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor and to pay all costs of this proceeding from said purchase price. Per Curiam, O Clare Kent, President Judge. (See paper filed)

Walter J. McClintock

171

Petition of Commissioners of Crawford County

For

approval of private sale to Bishop John M. Gannon D.D., in trust for St. Peters Catholic Congregation, of Conneautville, Pa., for a lot in Conneautville Pa. assessed in name of F.S. Saulsburg, and sold to said Comrs at Treasurers sale for taxes, on Aug. 6, 1940.

Entered Aug. 1, 1940.

Pro. Slayton $5.00

Preliminary Order.

And now, August 1, 1940, upon presentation and consideration of the within petition, the Court fixes the First Monday of September, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days' notice to be given by publication in one newspaper of general circulation published in the County of Crawford.

Per Curiam
O. Clare Kent, P.J.

(See petition.)

Final Order: And now, September 3, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Bishop John M. Gannon, D.D., in Trust for St. Peters Catholic Congregation, of Conneautville, Penna., a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

Per Curiam,
O. Clare Kent,
President Judge.

(See paper filed)

Walter J. McClintock 172	Petition of County Commissioners of Crawford County for approval of private sale to Charles Bellows and Anna M. Bellows of 25 acres of land in Randolph Township assessed in name of Charles Ross, and sold to said Comrs at Treasurers sale for taxes on August 6, 1934. Entered Aug 1, 1940 Pro Clayton $5.00	Preliminary Order. August 1, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of September, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. Per Curiam (See petition) O. Clare Kent, P.J. Final Order: And now, September 3, 1940 at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchasers, Charles Bellows and Anna M. Bellows, his wife of Meadville, Pa., a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, O. Clare Kent, President Judge (See paper filed)

Peters & Prather 173	John A. Wilcox vs. Ernestine R. Wilcox Issued Aug. 2, 1940. Tax & writ (paid) $ 3.00 Shff. Smith (paid) 1.60 Shff. Smith, alias 1.60	Subpoena in Divorce And now July 31, 1940, Subpoena awarded, Returnable to first Monday of September, 1940. Per Curiam, O. Clare Kent, P.J. Subpoena returned Sept. 2, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff. Sept. 4, 1940, Alias Subpoena in Divorce issued, returnable to first Monday of Oct next. Alias Subpoena returned: Oct. 7, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff.

Herbert A. Mook

174

Sept. 9, 1940: Received $35.00 costs / JMM for Pro.

Nov. 23-1940. Rec'd from Paul A. Clayton, Esq. $25.00 in my Master's fee in the within case.

Jeff. E. Bossard. Master

Dec 21, 1940 - Rec'd refund of $1.90 from Paul A. Clayton Pro. J.A. Mook atty.

Marie Elaine Walker by her Guardian Fred McGregor

vs.

Byron L. Walker

Issued Aug. 2, 1940

Tax & writ (11/26/40 paid #)	3.00
Shff Smith (paid)	3.20
Pro. Clayton 9/11/40 P.M.	8.10
J.E. Bossard, Master	25.00
Atty.	3.00

Subpoena in Divorce

And now, Aug. 2d, 1940, the within petition presented, and Subpoena awarded, returnable to the first Monday of September, 1940.

Per Curiam

O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 5th day of August, 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof as appears from affidavit as above.

So answers Harry B. Smith, Shff.

And now, Sept. 9, 1940, Jeff. E. Bossard, Esq., is hereby appointed Master to take testimony and make report thereof to the Court. Per Curiam. (See paper filed)

Same day, Cert. of appointment issued.

Nov. 23, 1940 Testimony and Report of Master filed.

On Argt. List for Nov. Term, 1940, No. 55.

Dec. 4, 1940, After due consideration a divorce is decreed as prayed for and the respondent, Byron L. Walker, is ordered to pay the cost of this proceeding. Per Curiam.

-Decree-

And now to wit: December 4-A.D. 1940. this cause came on to be heard on libel subpoena, subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the Court that the cause set forth in said libel be true, it is by the court ordered adjudged and decreed. That the said Marie Elaine Walker be divorced and forever seperated from the nuptial ties and bonds of matrimony here to fore contracted between her the said Marie Elaine Walker the libellant and the said Byron L. Walker the respondent; and that thereupon all and every, the duties, rights and claims accruing to either the said libellant or the said respondent, of any kind heretofore in pursuance of said marriage shall cease and determine. And the said libellant and the said respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

SEPTEMBER TERM, 1940

Kent & Kent
175

Nov. 4, 1940. Recd $33.10 costs.
P.D.S.

Nov. 23rd 1940. Recd from Paul L. Slayton Esq. $25.00 being my Master's fee in this within case.
Jeff E. Bossard
Master

Frieda Griffith
vs
W. S. Griffith
Issued Aug. 5, 1940

	#
Tax & writ (paid)	3.00
Shff. Smith (paid)	3.20
Jeff E. Bossard, Master	25.00
Pro. for Co. 11-4-40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, August 5, 1940, the within petition presented, and Subpoena awarded, returnable to the second Monday of September, 1940

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena on the Respondent personally on the 8th day of Aug. 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof as appears from affidavit as above

So answers Harry B. Smith, Sheriff.

And now, Nov. 4, 1940, Jeff E. Bossard, Esq., is appointed master to take testimony.

Per Curiam.

Nov. 23, 1940. Testimony and Report of Master filed.

On Argt. List, Nov. Term, 1940, No. 54.

Dec. 4, 1940, after due consideration a divorce is decreed as prayed for and the respondent, W. S. Griffith, is ordered to pay the costs of this proceeding.

Per Curiam.

Decree

And now to wit: December 4, A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed.

That the said Frieda Griffith be divorced and forever separated from the nuptial ties and bonds of Matrimony heretofore contracted between her the said Frieda Griffith the libellant and the said W. S. Griffith the respondent and that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said Marriage shall cease and determine.

And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been Married.

Per Curiam.

Kent & Kent
176

Stella Irene Stainbrook
vs.
Neil LeRoy Stainbrook
Issued Aug 5, 1940
#
Tax & writ (paid) 3.00
Shff. Smith (paid) 3.40
Paul E. Thomas, Master 25.00
Pro. for Co. 9-16-40. Pd. 8.10
Atty. 3.00

Subpoena in Divorce and for custody of minor children, name Neil Stainbrook, Jr. born May 29, 1930 Charles Stainbrook, born Mar. 14, 1933, Elmer Stainbrook, born Sept 11, 1934 and David Stainbrook born Oct. 2, 1937

And now, August 5, 1940, the within petition presented, and Subpoena awarded, returnable to the second Monday of Sept. 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally, on the 6th day of August, 1940, by delivering to him a true and attested copy of the same and making known to him the contents thereof as appear from affidavit as above. So answers

Harry B. Smith, Sheriff

Sept. 16, 1940, Recd. $33.10 costs
P. D. S.

And now, Sept. 16, 1940, Paul E. Thomas, Esq., is appointed to take testimony in the above entitled case. Per Curiam,

Sept. 21, 1940 Recd of Dorothy $25.00 Master fee.
Paul E. Thomas.

Sept. 21, 1940, Testimony and Report of Master filed.

On Arg. List for Sept Term, 1940 No. 58

Now Oct. 1, 1940 After due consideration a divorce is decreed as prayed for, the respondent, Neil LeRoy Stainbrook, is ordered to pay the cost of this proceeding and the custody of minor children, Neil, Jr. Charles, Elmer and David Stainbrook, is awarded to the libellant, Stella Irene Stainbrook

Per Curiam,

Decree. And now to-wit October 1 - A.D. 1940, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in the libel are true, it is by the Court ordered, adjudged and decreed. That the said Stella Irene Stainbrook be divorced and for ever seperated from the nuptial ties and bonds of matrimony heretofore contracted between the said Stella Irene Stainbrook the libellant, and the said Neil LeRoy Stainbrook the respondent, and that they upon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time hereafter in pursuance of said marriage shall cease & determine; and the said libellant & respondent shall severally be at liberty to marry again in like manner as if they had never been married. It is further ordered and decreed that the custody of minor children, Neil Jr., Charles, Elmer, and David Stainbrook, is awarded to the libellant Stella Irene Stainbrook

Per Curiam,

177

W. A. Whitling
vs
Mrs. Josephine Slack
Entered Aug 5, 1940
Pro. Slayton (Plff) pd $2.25

Of No. 550, May Term, 1935
Amicable Scire Facias sur Judgment

It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the deft. by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the deft. for the sum of One hundred twenty-one and 75/100 Dollars, being the amount of debt, interest to Aug. 14, 1935, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $121.75
Int from Aug 14, 1935
Judgment
Paul D. Slayton, Prothy

Bl. page 25.

Leland J. Culbertson
178
Mail Clerk 8-22-40
Attest. P.D.S. Prs.

Lawrence N. Livsey
vs.
Stephen B. Novotny
and Joseph Brzezinski Jr.
Issued Aug 5, 1940

Tax & writ (paid) 2.00
Sheff Smith (paid) 8.50
Pro. for Co. 12-23-40. Pd. 1.50
Atty. 3.00

Summons in Trespass
Returnable to first Monday of
September, 1940

Writ returned: Served the within Summons personally on Stephen B. Novotny, by serving Elizabeth Novotny she being an adult member of the family, namely, his mother, at their residence in Venango Township, Crawford County, Pa., on Aug. 10, 1940, at 3:4[illegible] o'clock P.M., by handing to her a true and attested copy thereof, and making contents of same known to her. Also, served the within Summons personally on Joseph Brzezinski, Jr., by serving Joseph Brzezinski, Sr., he being an adult member of the family, namely, his father, at their residence in Venango Township, Crawford County, Pa., on Aug. 10, 1940, at 3:20 o'clock P.M., by handing to him a true and attested copy thereof, and making contents of same known to him. So answers Harry B. Smith, Sheriff

Nov. Dec. 23rd. 1940. the above case is herewith settled and discontinued of Record.

Culbertson Atty for Pltff.

Peters & Prather

179

W. C. Hall, surviving husband, now deceased to use of Patterson C. Hall, Executor of W. C. Hall, deceased,

vs

Alice Brooks and Perry C. Brooks

Issued Aug. 5, 1940

Pro. Slayton (paid)	$2.25
Shff. Smith	3.80
Pro. Slayton (paid)	2.25
Atty	3.00

($6.05 of costs included in new debt)

Of No. 92 February Term, 1936 Jgm. Doc. Scire Facias to Revive and Continue the Lien of the above Judgment, Returnable to the Second Monday of September next.

Br. Pages 59 & 92

Writ retd: Served the within Sci. Fa. personally, on Perry C. Brooks on Aug. 8, 1940, at 7:30 o'clock P. M., at No. 360 Center Street, City of Meadville, Pa., by handing to him a true and attested copy thereof, and making contents of same known to him. Nihil habet as to Alice Brooks, one of the defendants.

So answers Harry B. Smith, Sheriff.

Sept. 7, 1940, Am. Sci. Fa. filed, and thereupon judgment is entered in favor of the plaintiff and against defendant Perry C. Brooks, for the sum of Eleven Hundred Thirty and 80/100 Dollars, with interest from Aug. 29, 1940, and costs with all the waivers and conditions contained in the original judgment note.

Debt $1130.80

Int. from Aug. 29, 1940

Judgment

Paul D. Slayton, Pro.

Br. page 90.

April 18, 1941

Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record. $1/100.

Peters & Prather, Harold D. Prather

Attys for Plaintiff

Attn. Paul D. Slayton Pro.

Kenneth W Lee
11-13-44, P.D.S.
180

Arthur L. White
vs.
Geo. A. Probst and
W. R. Probst
Entered Aug. 6, 1940
Pro. Slayton (paid) $ 2.25

Of No. 518 May Term, 1935
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned, and that a judgment be entered thereon in favor of the plaintiff and against the defts. for the sum of Six hundred, and no/100 Dollars being the amount of debt interest to Aug. 6, 1940 and costs now due on the original judgment with all the waivers and conditions contained in the original judgment note.

Debt $600.00
Int. from Aug. 6, 1940
Judgment
Paul D. Slayton, Prothy

P. pages 137 + 138

Nov. 13, 1944
Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Atty. for Plaintiff
Witness: Paul D. Slayton

Also see satisfactions filed.

SEPTEMBER TERM, 1940

Max B Maloney
181

Blanche Richards
vs
Lewis Richards
Issued Aug. 6, 1940

Tax & writ (paid)	$ 3.00
Skyf Smith (paid)	3.30
Raymond C. Miller, Master	25.00
Pro. for Co. 9-22-42, Pd.	8.60
Atty	3.00

Subpoena in Divorce
And now, August 6, 1940, the within Subpoena presented, and Subpoena awarded, returnable to the second Monday of September, 1940.
Per Curiam
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent on the 8th day of Aug 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers Harry B. Smith, Skff

And now, September 22, 1942, Raymond C. Miller, Esq., is appointed Master to take testimony in the above entitled case and make report thereon to the Court.

Per Curiam.

Sept. 26, 1942, Testimony and Report of Master filed.
Ord Argt. List for Sept. Term, 1942; No. 75.
Sept. 28, 1942, Affidavit of non-military service of respondent filed.
Now October 16, 1942, after due consideration a divorce is decreed as prayed for and the respondent, Lewis Richards, is ordered to pay the cost of this proceeding.

Per Curiam
O. Clare Kent P.J.

Decree

And now, to-wit: October 16, A.D. 1942, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed, That the said Blanche Richards, be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Blanche Richards, the libellant, and the said Lewis Richards, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

pt. 22, 1942, Recd $35.00 costs
O.D.S.

26-42 Recd $25.00 master fee in full from S. Slayton
Raymond C. Miller
Master

0-26-42 Recd 1.00 return advanced costs
Max B. Maloney
atty for Libellant

F. C. Kiebort, Jr.	H. L. Marquette & Company	Of No. 482, May Term, 1940, D. & C.
182	vs.	Attachment Execution
Thomas Kiebort for Gelvin, Jackson & Starr, Garnishees	Harold Aldrich, also known as Harold Norman Aldrich, Deft. & The Fidelity and Guaranty Fire Insurance Company, of Baltimore, Maryland, and Gelvin, Jackson and Starr, Agents of said Company, Garnishees	Returnable to next term.
attest: Jno. M. 9-13-40.	Issued, Aug. 6, 1940	Writ returned: Attached as within commanded, Aug. 10, 1940, at 9:30 o'clock A.M., and summoned the garnishees. No service made on the defendant.
		For return at length, see writ.
	Tax & writ paid 8/13/40 — $2.75	
	Shff. Smith	
	Atty. for Garnishee 10.00	
	Atty. 3.00	

Now, Jan. 13, 1941 the above case is settled and discontinued of record.

F. C. Kiebort Jr.
Attorney for Plaintiff

183	In re report of the Annual audit of the Finances and Accounts of the Titusville School District for the fiscal year beginning the first Monday of July 1939. Entered Aug. 9, 1940. Pro. Slayton 9/12/40. Pd $5.00	Aug. 9 1940. Annual report of N. Allen Love, J. D. Murphy and T. J. McDonald, Jr. Auditors filed. Same day, Notice issued for publication in the Titusville Herald

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McGrath, McGrath, + McGrath
Thomas + Kiebort
Kenneth W. Rice

X

Herbert A. Mook
Stuart A. Culbertson

Hugh McBride, a minor, by Harry V. McBride, his guardian and Harry V. McBride and Elizabeth McBride, his wife, in their own right

VS.

Township of Rome, a municipal corporation

Record Continued from Page 309

Of No. 147 May Term, 1940

January 16, 1946, Order of Court filed. And Now, to-wit, this 16th day of January 1946, it appearing to the Court that on April 8, 1942 the Court made the following Order: "And now, April 8, 1942, it is ordered that plaintiff's petition for leave to file a formal written notice of said accident with the Township of Rome, nunc pro tunc, and that the suit entered be permitted to stand and proceed to trial be dismissed and the rule to show cause granted thereon be discharged at the cost of petitioners. Exception noted and sealed for plaintiff. Per Curiam, O. Clare Kent President Judge." And it further appearing that at No. 224 January Term 1942 the Supreme Court of Pennsylvania on an appeal of the within case made the following Order: "And now, to-wit, May 10, 1943, the Order of the Court below is reversed and the record is remitted to the Court below with instructions to make the rule absolute upon the payment of all costs accrued to date." And it further appearing to the Court that all costs accrued to date have been paid by the plaintiffs, it is hereby ordered, adjudged and decreed that the Rule heretofore granted on January 9, 1941, to show cause why plaintiffs should not have leave of Court to file with the Township of Rome, defendant, nunc pro tunc as of December 1, 1939, the notice required by the Act of 1937, P. L. 2547, and the suit filed at No. 147 May Term 1940, be permitted to stand and proceed to trial, be and the same is hereby made absolute. Per Curiam,

O. Clare Kent P. J.

On Spring Trial List, 1946; No. 18.
Feby. 25, 1946, Off list account pending rule.
Per Curiam,
On Winter Trial List, 1947; No. 32.

Jan 18, 1946 - Received $17.50 overpayment of costs.
K. W. Rice Atty for appellant.

January 3, 1947, Amendment to Statement of Claim filed.

Service of a copy accepted by Stuart A. Culbertson and Herbert A. Mook.

Jan. 14, 1947, Continued on application of Plff. and marked remanet. Per Curiam,

On Spring Trial List, 1947; No. 5.

Feb. 3, 1947, Stipulation Discharging Rule after Order of Court Filed.

Order: March 3, 1947, in accordance with the foregoing stipulation and agreement of Counsel for the plaintiffs and the Defendant, the rule for a more specific statement of claim now pending in the above captioned case be and the same is hereby discharged.

Per Curiam,
O. Clare Kent, P. J.

Continued on Margin
Continued on Page 510

Arden D. Mook
184
F. Joseph Thomas
Sept. 12, 1940

John Clementosh
vs.
Fred H. Betts
Issued Aug 9, 1940

Tax & writ (paid)	$ 2.00
Shff. Smith (paid)	2.90
Shff. of Erie Co. (paid)	6.50

Summons in Trespass, Returnable to next term.

Writ retd: Served the within summons on Fred H. Betts, by deputizing the Sheriff of Erie County, Pa., as per his return hereto attached. So answers
Harry B. Smith, Sheriff
by Karl F. Johnston, Deputy Sheriff
of Erie County, Pa., makes affidavit and return: That on the 13th day of Aug. 1940, at 11 AM, EST, he served the within named Fred H. Betts, at his place of residence, Sampson Av., North Girard, Pa., by handing to an adult member of his family, named Margaret Betz, a true and attested copy of the attached summons in Trespass, and made the contents thereof known to her. (See writ)
Sept. 12, 1940. F. Joseph Thomas, Esq., appears for defendant. (See paper filed)

Thomas & Kiebort

Casualty Insurance Co. as Surety, for the sum of Six Thousand and no/100 Dollars ($6000.00) Dollars filed.

In Re: First & Final account of First National Bank of Mercerville Pennsylvania, Trustee for Helen B. Miller under Deed of Trust of Glen W. Miller and Helen B. Miller.

Bond Continued from Page 487 of No. 185 Sept. Term 19[illegible]

and which is owned by the above mentioned trust; and upon the said Resigning Trustee having duly executed and delivered a deed for del of the real estate now owned it in the above mentioned trust, as well as it having delivered any other property now held by it for and on behalf of the said trust, to the Substitute Trustee; and further upon its filing any Final Account, if the same be necessary, said First National Bank of Mercerville, Mercerville Pennsylvania, Mercerville Pennsylvania, shall be discharged from all and any further liability as Trustee for Helen B. Miller, under Deed of Trust of Glen W. Miller and Helen B. Miller.

Per Curiam Hubert A. Mook P.J.

September 3, 1958 Bond in the amount of $500.00 with May B. Maloney as Principal, and Arthur J. Maloney and Ruth L. Maloney, and Earl D. Colter as sureties, approved by the Court and filed.

June 8, 1972 Petition to fix additional Bond on Sale of Real Estate filed.

Order: And Now, June 8, 1972, upon presentation of the foregoing petition and upon due Consideration thereof, the prayer of said Petition is hereby granted, and additional Bond shall be filed by May B. Maloney Substitute Trustee for Helen B. Miller, in the amount of Six Thousand and no/100 Dollars ($6,000.00) Dollars, and in the event the same is with corporate surety will need no further approval by the Court.

P. Richard Thomas, P.J.

June 9, 1972 Trustee's Bond by May B. Maloney and the Ohio

(Cont'd on Margin)

Thomas & Kiebort

185

In re First & Final Account of First National Bank of Meadville, Penna. Trustee for Helen B. Miller, under Deed of Trust of Glenn W. Miller and Helen B. Miller Entered Aug. 9, 1940

Pro. Slayton 9/4/40. Pd. 6.00
Pro. for Co. 10-3-40. Pd. 2.50
Pro. Copy 1-17-53 Pd. 1.50
Pro. f. 9-29-58 Paid 3.00
Aud. fee 6-6-14-72 Paid 5.00

Aug. 9, 1940 First and Final Account filed, and notice issued for publication in the Tribune-Republican, Meadville, Penna. Sec. reg.

Aug. 28, 1940. Proof of publication of notice of filing account filed.

Sept. 3, 1940. Account confirmed nisi.

Sept. 14, 1940. No exceptions having been filed, this account is confirmed absolutely.

Paul D. Slayton, Prothy.

Account recorded in Account Docket No. 5, page 128.

Sept. 30, 1940, Petition and Resignation of the First National Bank of Meadville, Penna. as Trustee under deed dated Jan. 14, 1937, Glenn W. Miller and Helen B. Miller husband and wife to said bank as Trustee, presented in open Court and filed.

Now, September 30, 1940, on presentation and consideration of the foregoing petition and resignation of the First National Bank of Meadville as Trustee under the deed of trust in said petition mentioned, is hereby accepted, and on the appointment of a successor Trustee, the said bank is ordered and directed to deliver to said Trustee any balance in the trust estate then in its hands, and to file of record in this proceeding the receipt of the said successor trustee for the amount received from the said First National Bank of Meadville, Trustee.

And it is further ordered that the said First National Bank of Meadville, Trustee, execute and deliver unto the successor Trustee, a good and sufficient deed conveying unto the said Trustee the real estate mentioned and described in the aforesaid deed of trust.

Per Curiam,
O. Blare Kent, P.J.

(See paper filed)

July 29, 1958 Petition for the Appointment of a Substitute Trustee filed.

Decree: And Now, July 29, 1958 upon consideration of the foregoing petition and on motion of Burd and Burd, attorneys for the Petitioner, Mary B. Maloney, Esquire of Meadville Pennsylvania, is hereby appointed substitute Trustee for Helen B. Miller under the deed of trust of Glenn W. Miller and Helen B. Miller, at the above number and Terms, for and in the place and stead of the First National Bank of Meadville, Meadville Pennsylvania, Resigning Trustee.

Security as to be entered by a bond in the amount of $500.00 which shall be approved upon its being duly executed and properly filed. And it is further Ordered and Decreed that the First National Bank of Meadville, Meadville Pennsylvania Resigning Trustee, be and it is hereby authorized to properly execute and deliver to the Substitute Trustee a deed for all of the real estate to which it now holds title in the above entitled matter, as well as to deliver to, him any additional personal or other property which it may have in its possession.

Continued on Page 486

Stuart A. Culbertson 185	In re Incorporation of the East Fallowfield Community Fair Association Entered Aug. 10, 1940 Pro. Slayton (paid) $4.00	August 10, 1940, Certificate for Incorporation filed. Sept. 3, 1940, Cert. of availability of name by Deputy Secy of Com, and proofs of publication of notice, filed. Decree: And now, September 3, 1940, it appearing that this Certificate of incorporation for the East Fallowfield Community Fair Association is on file in the office of the Prothonotary of the Court of Common Pleas of this county, and due proof of publication of notice of presentation having been presented to me, it further appearing that the name of said East Fallowfield Community Fair Association has been filed and recorded in the office of the Secretary of the Commonwealth of Pennsylvania in accordance with the Act of Non Profit Corporations of 1933,- I hereby that I have perused and examined said instrument and find the matter to be in proper form and within the specified purposes of corporation of the first class and that the said purpose are lawful and not injurious to the community,- It is therefore ordered, adjudged and decreed that the charter of the East Fallowfield Community Fair Association be, and the same is hereby approved, and upon the recording of the said charter and this order, the subscribers thereto and their associates shall be a corporation for the purposes upon the terms, and under the name therein stated. Per Curiam, O. Clare Kent, P.J.

John H. Bozic
187

t. 12, 1940. Recd $35.00 costs.
P.D.S.
11-19-1940. Reed Masters fee
$5.00 Otto Stolz

10/18/40. Rec'd of Frank Flaherty
$1.40 Endorsement Costs.
John H. Bozic

Jalene May Davison
vs.
Kenneth V. Davison
Issued Aug. 12, 1940

Tax & writ 9-13-40. Pd.	$3.00
Shff. Smith Pd.	3.20
Otto Stolz, Master	25.00
Pro. for Co. 9-13-40 Pd.	8.10
Atty.	3.00
Mildred Powell, Steno. Pd	2.00

Subpoena in Divorce

And now, August 10, 1940, the within petition presented, and Subpoena awarded, returnable to the second Monday of September, 1940.

Per Curiam,
O. Clare Kent, P.J.

Sept. 13, 1940. Subpoena rec'd; Served the within Subpoena in Divorce on the Respondent, personally, on the 28th day of August, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof as appears from affidavit.

So answers,
Harry B. Smith, Sheriff.

And now, September 12, 1940, Otto Stolz, Esq., is hereby appointed Master to take testimony in the above entitled case and make report to the Court.

Per Curiam.

Sept. 19, 1940. Testimony and Report of Master filed.

Ord. Arg. List for Sept. Term, 1940, No. 57.

Now Oct. 1, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Kenneth V. Davison, is ordered to pay the cost of this proceeding.

Per Curiam,
O. Clare Kent, P.J.

Decree.

And now to-wit October 1 - A.D. 1940; This cause came on to be heard on libl. subpoena, subsequent proceedings, and evidence thereon, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed. That the said Jalene May Davison be divorced and forever separated from the marital ties and bonds of Matrimony heretofore contracted between her the said Jalene May Davison the libellant, and the said Kenneth V. Davison the respondent; and that thereupon all and every the duties, rights & claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

188

Ausro Fish
Effie L. Fish, deceased,
vs.
O. M. Thompson,
Terre Tenant.
Entered Aug. 13, 1940
Pro. Slayton (paid) # 2.25

Of No. 160 September Term, 1935
Amicable Scire Facias sur Judgment
Fi. Fa. Dec.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Four hundred ninety-six and 90/100 Dollars, being the amount of debt, Interest to August 5, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment not

Dated August 12, 1940.

(Signed) O. M. Thompson (Seal)

Signed, Sealed and Delivered
in the presence of
(Signed) D. V. Kinney

Debt # 496.90
Interest from Aug. 5, 1940
Judgment
Paul D. Slayton, Prothy.

T. page 79.

Mar. 26, 1941, This judgment assigned to Fisher & Young, Titusville, Pa.
(See paper filed.)

Kenneth W. Rice 189	Cecelia Stadler vs. Russell W. Osten Issued Aug. 13, 1940 Tax & writ (Atty fee) $2.00 Shff. Smith (paid) 2.90 Shff. of Venango Co (pd) 4.30	Summons in Trespass Returnable to first Monday of October next. Aug. 13, 1940, Statement of claim filed. Copy certified. Writ retd. Served the within Summons, together with copy of Statement of claim, upon Russell W. Osten, by deputizing the Sheriff of Venango County, Pa., as per his return hereto attached. So answers Harry B. Smith, Sheriff. Return of Sheriff of Venango County.- Served the within Summons on the within named defendant Russell W. Osten, on the 26th day of Aug. 1940, at 2:25, P.M., at his residence #708 Cooper Av. Oil City, Venango County, Pa., by handing to him personally a true and attested of the within Summons, and reading and making known to him the contents thereof, together with a true and certified copy of plaintiffs Statement of claim. So answers Herb L. Beatty, Deputy Sheriff. J. O Bell, Sheriff.

Arden D. Mook 190	Lorena Towner, a minor, by her mother and next friend Lucy Peelman vs. Alfred Towner Issued Aug. 15, 1940 Tax & writ (paid) $ 3.00 Shff. Smith	Subpoena in Divorce. And now, August 15, 1940. Subpoena awarded, Returnable to first Monday of October, 1940. Per Curiam, O. Clare Kent, P.J.

J. A Boland
191
Blair F. Gunther and Kent + Kent, for garnishee attent. 9 a.m. 9-9-40.

Feb. 7, 1941 Hold fee taxed at this number for atty for Garnishee until same decided by the Court Jan 21-1943 Pro Hon Mary to pay to Jno Kent the sum $10.00 J. A. Boland

4/21/43, received $10.00 attorney for garnishee. John D. Kent Kent + Kent

T. Avery Chadwick
vs
Henry F. Ludorf, defendant, and Polish National Alliance School Corporation, Inc, of Cambridge Springs, Pa., Garnishee.
Issued Aug. 15, 1940

Pro. Slayton	8/17/40 Pd.	2.25
Shff. Smith (Paid)		6.10
Atty for Garnishee		10.00
Pro. for Co.	2/7/41, Pd.	1.25
Atty. from Pro & to Boland	2-7-1941, Rec'd	3.00

Of No. 124 September Term, 1938
Scire Facias against the Garnishee in the above entitled case,
Returnable to next term.
Writ returned: Served the Polish National Alliance School Corporation, Inc of Cambridge Springs, Pa., the within named garnishee by handing Aug. 22, 1940, at 12:1 o'clock P. M., a true and attested copy of the within writ to John Kolasa, the President of said Polish National Alliance School Corporation, Inc, Garnishee, at No. 440 Thomas Street, Cambridge Springs, Crawford County, Pa., and making contents of same known to him.
Nihil habet as to Henry F. Ludorf, defendant.
So answers Harry B. Smith, Sheriff.
Jan. 30, 1941 The Scire Facias proceedings at No. 191 Sept. Term, 1940, are vacated and set aside at cost of plaintiff.
Per Curiam.
(See Opinion and order at No. 124 Sept Term, 1938.)
And now, February 7, 1941, this case discontinued.
J. A. Boland attorney for Plaintiff
Attest: Feb. 7, 1941
Paul D. Slayton, Pro.

J. Perry Eckels 192	Tom and Lou Johnson, now for use of Tom Johnson vs. Mrs. W.P. Foster, alias Mrs. Mary Foster, and W.P. Foster, Defendants, and Hazel Racey, Terre Tenant. Issued Aug. 15, 1940 Pro. Clayton (paid) $2.25 Stff. Smith (paid) 4.14	Of No. 409 November Term, 1932, D&B Scire Facias to revive and contin the lien of the above judgment, with notice to Hazel Racey, Terre tenant; Returnable to next term. F. pages 53, 53; R. page 137. Aug. 15, 1940, Statement of claim filed. Writ returned: On Aug. 17, 1940, mailed by registered mail, postage prepaid, a true and attested copy of the within Sci. Fa. sur Mortgage together with copy of statement of claim, on Hazel Racey, Terre tenant, 1702 East 46th Street, Ashtabula, Ohio, her last known address, which was received by her on Aug. 20, 1940, as per return receipt hereto attached and made a part of this return. Nihil habet as to Mrs. W.P. Foster, alias Mrs. Mary Foster, and W.P. Foster, defendants. So answers Harry B. Smith, Sheriff

F. C. Kiebort, Jr

193

Thomas F. Kiebort

Ruth Waidley, Administrator of the estate of Edith A. Frank, late of Corry Pa., deceased

vs.

Robert E. Woodruff and John A. Hadden, Trustees of The Erie Railroad Company

Entered Aug. 16, 1940

Tax Court 9-23-40 Pd. $2.00

Pro. for Co. 9-23-40. Pd. 4.00

Atty. 3.00

Summons in Trespass, Returnable to first Monday of September, 1940.

Now, August 16, 1940, Thomas F. Kiebort, Esqs. appear for the defendants above named, waive the issuance of a summons, and the service thereof by the Sheriff, with the same force and effect as though the summons had been duly and regularly issued by the Prothonotary and the writ duly and regularly served by the Sheriff of Crawford County upon the defendants. (See praecipe)

And now, September 9, 1940, upon presentation of the above and foregoing petition, the Court finds that Ruth Frank Waidley, administratrix of the estate of Edith A. Frank, is the only person entitled to share in the damages for the recovery of which the above stated action has been instituted, and it is therefore ordered and decreed that the said Ruth Frank Waidley, administratrix aforesaid, be and she is hereby authorized to compromise and settle for the sum of $200.00 the claim for damages resulting from the death of Edith A. Frank, at the time and in the manner set forth in said petition, and on payment of said amount by the defendants, the plaintiff is ordered and directed to mark the said action discontinued of record.

Per Curiam,
O. Blare Kent, P.J.

(See praper filed)

Received $3.00 docket fee - Sept 23, 1940.
F. C. Kiebort Jr.

Now September 23, 1940 the above action is settled by reason of the foregoing order and the said action is discontinued as of record.

F. C. Kiebort Jr.
Atty. for Plaintiff

F. Joseph Thomas
1944

F. Perry Eckel
8/20/40. P.D. 8
John A. Bozie
for additional Dft

William A. Hunter
vs.
William E. Huber
Issued Aug. 17, 1940
#
Tax & writ (paid 8/16/40) 2.00
Sheff. Smith (paid) 3.50
Pro. for Co. 3/22/41. Pd. 9.20
Sheff. Smith read addl Dft (Pd) 7.10
Atty. 3.00

Summons in Trespass,
Returnable to the first Monday of September, 1940,
Nov. 27, 1940, Statement of claim filed; Service of copy accepted by defendant's attorney. (See paper filed.).
Dec. 5, 1940. Affidavit of defense filed. Service accepted by Plff's Atty.
And now, December 5, 1940, the petition of William E. Huber to join the Pontiac Transportation Company, a corporation, as an additional defendant in the above entitled action, is granted, and the Pontiac Transportation Company, a corporation, is hereby joined as an additional defendant.
Now, therefore, we command you, the Sheriff of the County of Crawford, to direct Pontiac Transportation Company, a corporation of 275 Fuhrman Boulevard, Buffalo, New York, to file an answer in the office of the Prothonotary of the Court of Common Pleas of Crawford County, in the above entitled action within twenty days after service upon him of a copy of this petition and order, and of copies of all pleadings heretofore filed therein, if service was made within your county, or within thirty days of service, if service was made within any other county of this Commonwealth.
(See paper filed) Per Curiam.
Dec. 5, 1940, Certified copy of this petition issued to Sheriff, together with certified copies of all the pleadings in this case.
On Winter Trial List, 1941, No. 41. Jan. 16, 1941, Reported as improperly on list. Per Cur.
Jan. 11, 1941.- John A. Bozie, Esq. appears for Pontiac Transportation Co., addl deft. (See paper filed)
Jan. 17, 1941 Stipulation of counsel for extention of time, 30 days, for additional deft to file affd of defense, filed.
Writ returned Jan. 24 1941. Served the within summons personally on William E. Huber, by serving Gertrude Huber, she being an adult member of his family, namely his wife, on Aug. 26, 1940, at 11:00 o'clock A.M. at their residence in West Mead Tp, Crawford County, Pa., by handing to her a true and attested copy of the within summons, and making contents of same known to her.
So answers Harry B. Smith, Sheriff.
Jan. 29, 1940 Answer of Pontiac Auto Transport Company, additional defendant, filed. Service of copy of answer admitted by attys for plff and original deft.
On Spring Trial List, 1941, No. 33. "March 3, 1941. Settled."
For Sheriff's return of service on Additional Deft. see back of petition.
And now March 5 1941 the above case is settled, ended and discontinued of record.
F. Joseph Thomas
Attorney for Plaintiff

March 22, 1941 Rec'd #1600 refund of costs.
F. Perry Eckel
Mch. 22, 1941 - Rec'd. $8.50 refund of costs & docket fee.
F. Joseph Thomas
P.P.

SEPTEMBER TERM, 1940

J. Perry Eckels 195	D. C. Rhodes vs. Winter J. Stewart, Executor of the will of Elma Day Stewart, deceased Issued Aug. 19, 1940 Jay Writ (paid) $2.25 Shff. Smith paid $2.90 Pro. diso. 12-9-40, Pd. 1.00 Atty. paid 3.00	Summons in Assumpsit Returnable to first Monday of September next St. pages 83 and 159 Service of the within Summons was made by Raymond C. Miller Attorney accepting service of the within writ for Winter J. Stewart Executor of the will of Elma Day Stewart, Deceased, on August 26, 1940, as per his acceptance of same stated above. So Answers: Harry B. Smith Sheriff

And now, December 9, 1940, this case settled and discontinued of record, all costs paid.

J. Perry Eckels
Attorney for Plaintiff

SEPTEMBER TERM, 1940

Herbert A Mook 196	R. W. Holland vs John Skinner Issued Aug 19, 1940 Jay Worthington (paid) 3.50 Shff. Smith (paid) 5.10	Replevin for a certain 1934 Chevrolet Sedan automobile, Engine No. 4678825, Manufacturers No. 1224103615, Title No. N. 392001, of the value of $175.00. Returnable to the first Monday of September, 1940. Aug. 19, 1940 Narr, affidavit of value etc. filed. Same day Bond of plaintiff, with William Roy Adsit as surety in the sum of $350.00, approved and filed. Writ returned: Replevied as within commanded Aug 20, 1940, at 3:45 o'clock P M., all of the within described goods and chattels, and summoned John Skinner, the within named defendant, by handing to him personally in the township of Greenwood, Crawford County, Pa., Aug. 20, 1940, at 3:45 o'clock P M., a true and attested copy of the within writ, and making known to him the contents thereof. And goods and chattels so replevied were delivered to the plaintiff on Aug 21, 1940. So answers Harry B. Smith, Sheriff

SEPTEMBER TERM, 1940

Stuart A. Culbertson
197

Everett T. Himebaugh
vs.
Blanch Himebaugh
Issued Aug. 19, 1940

Tax & writ (paid)	$ 3.00
Sheff. Smith (paid)	8.00
Sheff. Smith, alias (pd)	1.60
Sheff. Smith, prior Pd.	11.15
Frank D. Prather, Master	25.00
Pros. for Co. 1-8-41. Pd.	10.00
Atty.	3.00
	61.75

Jan. 8, 1941. Rec'd $35.00 costs
P. D. S.

Subpoena in Divorce.

And now, August 12, 1940, the within petition presented, and Subpoena awarded, returnable to the first Monday of October, 1940.

Per Curiam,
O. Clare Kent, P.J.

Sub. retd: And now, Oct. 7, 1940, Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheff.

Oct. 7, 1940, Alias Subpoena in Divorce issued, returnable to second Monday of Nov. next.

Alias Subpoena retd: Nov. 11, 1940: Non est inventus as to the within named respondent.

So answers Harry B. Smith, Sheriff.

Nov. 27, 1940, Order issued for publication of proclamation in Divorce; returnable to first Mon. of Jan. next.

Jan. 6, 1941, Proc. retd; And now, Jan. 6, 1941, I have made proclamation in the above entitled case according to law, and caused the same to be published in the Enterprise News, Cambridge Springs, Pa., a newspaper printed within my bailiwick once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached. So answers,

Harry B. Smith, Sheriff.

And now, January 6, 1941 Frank D. Prather, Esq., is hereby appointed Master to take testimony in the above entitled case and make report to the Court.

Per Curiam.

Feb 17 1941
Paid $25.00
Master's fee.
Frank D. Prather

Feby. 17, 1941, Testimony and Report of Master filed.

March 3, 1941, After due consideration a divorce is decreed as prayed for upon payment of the costs by libellant.

Decree.

Per Curiam,

And now, to-wit: March 3-A.D. 1941 this cause came on to be heard on libel subpoena subsequent proceeding, and evidence thereon, duly taken and filed of record and it appearing to the Court that the cause set forth in said libel are true it is by the Court ordered adjudged and decreed That the said Everett T. Himebaugh the libellant and the said Blanche Himebaugh the respondent; and that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine; And the said libellant and respondent shall be at liberty to marry again in like manner as if they had never been married

Per Curiam.

Leland J. Culbertson
198

Frieda Arlene Smith
vs.
Charles L. Smith
Issued Aug. 20, 1940

Tax & writ (paid) $3.00
Shff. Smith (paid) 1.60
Shff. Smith, alias (Pd.) 1.60
Shff. Smith, proc. (Pd.) 11.15
J. E. Bossard, Master 25.00
Pro. for Co. 2-22-41. Pd. 10.00
Atty. 3.00
Pro. addl. 9-26-41. Pd. .50

Subpoena in Divorce
Aug. 20, 1940, Subpoena awarded. Returnable to first Monday of October next.
Per Curiam,
O. Clare Kent, O.P.

Subpoena, retd Oct. 7, 1940: Non est inventus as to the within named respondent.
So answers Harry B. Smith, Sheriff

Dec. 4, 1940, Alias Subpoena in Divorce issued, returnable to the first Monday of January, 1941.

Alias Subpoena retd: Jan. 6, 1940. Non est inventus as to the within named respondent. So answers,
Harry B. Smith, Sheriff

Jan. 9, 1941, Order for Proclamation in divorce issued, returnable to 2d Monday of February next.

Feb. 10, 1941 ----- I have made proclamation in the above entitled case according to law, and caused the same to be published in the Linesville Herald, Linesville, Pa., a newspaper printed within my bailiwick once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication attached. So answers,
Harry B. Smith, Sheriff.

And now, February 3, 1941 Jeff E. Bossard Esq. is appointed Master to take testimony and make report in the above case.
Per Curiam

Feby. 3, 1941, Rec'd $35.00 costs.
P. B. C.

Sept. 19 - 1941. Rec'd from Paul R. Slayton $25.00 being my Master's fee in the within case.
Jeff E. Bossard
Master

Sept. 19, 1941, Testimony and Report of Master filed.
On Argt. List for Sept. Term, 1941; No. 48.

Sept. 26, 1941, After due consideration a divorce is decreed as prayed for and the respondent, Charles L. Smith, is ordered to pay the cost of this proceeding. Per Curiam.

Decree: And now, to-wit; September 26 A.D. 1941 this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence there in duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged & decreed. That the said Frieda Arlene Smith, be divorced and forever seperated from the matrimonial ties and bonds of Matrimony heretofore contracted between her the said Frieda Arlene Smith the libellant, and the said Charles L. Smith the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time hereto fore in pursuance of said marriage shall cease and determine; and the said libellant and respondent, shall severally be at liberty to marry again in like manner as if they had never been married.
(Per Curiam)

SEPTEMBER TERM, 1940

J. A. Bolard
199

J. A. Bolard
vs
R. L. Whipple, Administrator d.b.n. c.t.a. of estate of Walter Whelpley, deceased.
Issued Aug. 20, 1940

	#
Tax & writ (paid)	2.25
Shff. Smith (paid)	3.90
Pro. for C. 12/7/42. Pd.	3.10
Atty.	3.00
	12.25

Summons in Assumpsit, Returnable to next term.
Wh. pages 155 & 129.
Aug. 20, 1940, Statement of claim filed.
Writ returned: Served the within Summons, together with Statement of Claim, personally, on R. L. Whipple admr d.b.n., c.t.a. of the estate of Walter Whelpley, decd, on Sept. 7, 1940, at 10:30 o'clock A.M., at No. 360 Center Street, City of Meadville, Pa., by handing to him a true and attested copy thereof and making contents of same known to him.
So answers Nellie M. Shafer,
Deputy Sheriff
Harry B. Smith, Sheriff

And now, Dec. 7, 1942, on praecipe of plaintiff's attorney, judgment is hereby entered in favor of the plaintiff and against the defendant for want of an affidavit of defense or answer, and same is liquidated at the sum of one hundred fifty-eight & 20/100 dollars, with costs of suit

	#
Debt	158.20
Interest from Dec. 7, 1942.	
Judgment	

Paul D. Slayton, Prothy.

W. pages 129 & 155.

Jan 31, 1944 Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.
J. A. Bolard

Witness: Paul D. Slayton, Pro.

Arden D. Mook 200	Petition of Purl Longstretch for discharge from imprisonment as an insolvent debtor under the Insolvency Laws. Entered Aug. 20, 1940 Pro. Slayton 1/16/41 rd. 5.00	Aug. 20, Petition presented to Hon O. Clare Kent, P.J. and filed. Order: And now, to-wit August 20, 19[illegible] upon motion of Arden D. Mook, Atty for Petitioner, the Court grants a Rule upon Nile Hunter, the prosecutor, and upon Ruth Hunter, his daughter, to show cause why the petitioner, Purl Longstretch, should not be discharged from imprisonment returnable to the 11th day of November, 1940, at 9:30 A.M. And it is further ordered that the defendant and petitioner, the said Purl Longstretch, be discharged from imprisonment pending the hearing of said rule, and he is hereby permitted to enter into his own recognizance for his appearance on the 11th day of November, 1940, at 9:30 o'clock A.M., for his compliance with the decree of the Court under the terms of the Act of Assembly in such case made and provided, in the sum of $300.00, Notice of this petition and order to be served upon the prosecutor, Nile Hunter, and his daughter, the said Ruth Hunter, and to be published once a week for two (2) successive weeks in the Tribune-Republican, a newspaper of general circulation in the County of Crawford, Pennsylvania. Per Curiam, O. Clare Kent, P.J. (See petition filed) Aug. 20, 1940 Bond of Purl Longstretch, petitioner, in the sum of $300.00, filed.

201 Thomas & Kiebort	Commonwealth of Pennsylvania, Department of Revenue vs. Mrs. Hester Lyman Entered Aug. 21, 1940 # Pro. Slayton 9-14-40 $5.00	Aug. 21, 1940 Petition for restoration of Operator's License No. 1123743 of petitioner, Mrs. Hester Lyman and for preliminary hearing thereon presented to Hon. O. Clare Kent, P. J., and filed. Now, August 21, 1940, upon presentation and consideration of the foregoing petition, it is ordered that a hearing on the matter therein set forth shall be held on the 30th day of September, 1940, at 10 o'clock A. M. And it is further ordered that 30 days' written notice of said hearing be given to the Secretary of Revenue of the Commonwealth of Pennsylvania, by registered mail. Per Curiam, (See petition filed) O. Clare Kent, P. J.

Now Sept 14, 1940, operators privilge of petitioner having been reinstated ther appeal is hereby discontinued.

Thomas & Kiebort, Attys for Appellant.

Geo L Magee, Jr 2 82 Raymond L Miller	W E Byham and Son vs. Winter J Stewart Executor of the will of Elma Day Stewart deceased Entered Aug 21, 1940 Jas Tentry (pd 8/27/40) $2.25 Pro. for Co. 12-11-40. Pd. 1.25 Atty. 3.00	Summons in Assumpsit. Returnable to first Monday of October ne And now, August 21, 1940, Raymond L Miller, Esq., appears for defendant, waives the issuance of a summons and accepts service of the same, as fully and effectually as if a summons were duly and regularly issued to the Sheriff of Crawford County, Pa., and by him served personally upon Winter J Stewart, Executor of the will of Elma Day Stewart, deceased. (See praecipe) Aug. 21, 1940, Statement of Claim filed. Service accepted

And now, December 11, 1940 I direct the Prothonotary to report the above case ended. Ack'd & mkd Ck to mark this case settled and discontinued & record

Geo L Magee Jr
Attorney for Plaintiff

Raymond L. Miller
203
Kent + Kent
10/3/40. P.D.S.

Clarence W. Lewis
vs.
R. J. McMath
Issued Aug. 22, 1940

Tax & writ (paid)	2.00	
Shff. Smith (paid)	7.70	
Pro. for Co. 3/17/41. Pd.	3.50	
Atty.	3.00	

Summons in Trespass Returnable to first Monday of October next
Aug. 22, 1940, Statement of claim filed.
Writ returned: Served the within Summons, together with copy of Statement of Claim, personally on R. J. McMath, at his residence in Vernon Township, Crawford County, Pa., on August 29, 1940, at 11:30 o'clock A. M., by handing to him a true and attested copy thereof, and making contents thereof known to him.
So answers Harry B. Smith, Sheriff.

Now, Nov. 4, 1940. On motion in open open Court, a rule is granted on the plaintiff to show cause why the Statement of claim in the above entitled case should not be stricken off; Returnable
(See paper filed) Per Curiam.
Nov. 11, 1940, Answer to rule filed.
On Argt. List for Nov. Term, 1940, No. 12
Nov. 25, 1940, Reported as improperly on the list.
Per Curiam.

And now, March 17, 1941 I report the above case ended, settled and satisfied and direct the Prothonotary to mark this case settled discontinued and satisfied of record
Raymond L. Miller
Attorney for Plaintiff

J. A. Bolard

204

July 6-1943. Rec'd $1.50 docket fee from Plff
J.A.B. mcf

July 13-1943 Rec'd docket fee from Plff $3.00
J.A.B. mcf

Borough of Cambridge Springs, Pa.,
vs.
Mary W. Boda, sole owner, survivor of Henry Boda and Mary W. Boda, owners or reputed owners.
Entered Aug. 23, 1940
#
Tax Entry pd. 9/3/40 - 2.75
Atty 3.00
Plff. on Lien pd. 9/29/43 1.50

Of No. 12 November Term, 1935, Mch. Amicable Scire Facias sur Municipal Lien, filed Sept. 1935, and entered in Mechanics Lien Docket No. 6 at page 513.

Defendant Mary W. Boda hereby waives the issuing of a Scire Facia in above stated matter, and appears with like effect as if a Scire Facias had been issued and served; and it is hereby agreed that the Prothonotary of said County may enter an Amicable Scire Facias upon the above stated Municipal Lien, with the same force and effec a Scire Facias in the form prescribed by Act of 1923, May 16, P.L. 207, Sec. 17 (53 P.L. 2037) had been duly issued, served personally on the undersigned defendant by the Sheriff of this County, and so returned and that a judgment be entered thereon in favor of the plaintiff and against defendant for the sum of One Hundred Thirty-one 8/100 Dollars, $131.10 being the amount of debt, interest to August 21, 1935, collection fee and costs, now due on said municipal lien, with all conditions contained in original lien.

Dated this 22 day of August, 1940.

J. A. Bolard, Atty for Plff (Seal)
Mary W. Boda, Deft. (Seal)

Witnesses:
J. A. Bolard
Margaret Mason.

Debt $131.10
Interest from Aug. 21, 1935
Judgment
Paul D. Slayton, Pro.

Bo page 114

Sept. 3, 1940: The above judgment assigned to J. J. Hurley, Cambridge Springs, Pa. (See papers filed).

June 29, 1943 Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.

J. J. Hurley

Witness: Paul D. Slayton, Pro.

205	Commonwealth of Pennsylvania, Department of Revenue	Aug. 23, 1940, Petition for a hearing upon suspension of operators license No. 337528, filed.
	vs.	And now, August 22, 1940, upon presentation of the foregoing petition and consideration thereof, the matter set forth
F. Joseph Thomas	Robert S. Williams	therein is set down for hearing
	#	on the 30th day of September,
	Pro. Slayton 5.00	1940, at 10 o'clock A. M., and it is hereby ordered that thirty (30) days written notice of said hearing be given to the Secretary of Revenue by registered letter; that pending the determination of the issue, the Department of Revenue is ordered and directed to return the operator's license of petitioner forthwith, and this appeal to operate as a supersedeas until determination of said appeal. Per Curiam, O. Clare Kent, P.J. (See petition filed)
		Sept. 23, 1940. Proof of service of notice upon Secretary of Revenue, filed.

F. Joseph Thomas 206	Jack Roofner vs. William G. Smith, Executor of the estate of Julia Burke, deceased. Entered Aug. 23, 1940 # Tax & entry (paid) 2.25 Pro. & dis. (pd Oct 30/40) 1.00	Summons in Assumpsit, Returnable to first Monday of September next. Smpage 148; Bu. page 51. And now, August 23, 1940,— Raymond C. Miller, Esq. appears for deft. and waives the issu- ance of a summons in this case, and accepts service, with the same force and effect as if a summons had been duly issued, served personally and returned by the Sheriff of Craw- ford County. (See praecipe)

And now Oct 30, 1940 the above entitled case discontinued settled and ended

F. Joseph Thomas
attorney pro Plaintiff

Attest Oct. 30, 1940
Paul D. Clayton, Pro

Rowland B. Mahany 207 J. R. Heyison, Oil City, Pa. Herbert A. Mook	Nancy Marsh and R. M. Marsh, her husband, vs Samuel Winitzki and Joseph Winitzki trading as L. Winitzki & Son, Issued Aug. 24, 1940 $ – Jay & writ (paid) 2.00 Shff. Smith (paid) 9.10	Summons in Assumpsit. Returnable to the second Monday of September, 1940. Writ returned: Served the within Summons personally on Joseph Winitzki, trading as L. Winitzki & Son, on August 28, 1940 at 2:20 o'clock P. M., at No. 125 & 127 Diamond St., in the City of Titusville, Crawford County, Pa., by handing to him a true and attested copy of the within summons and making contents of same known to him. Also, served the within Summons personally on Samuel Winitzky, trading as L. Winitzky & Son, by serving Joseph Winitzki, he being an adult member of the family, namely, his brother, on August 28, at 2:20 o'clock P. M., at No. 125 & 127 Diamond Street, City of Titusville, Crawford County, Pa., by handing to him a true and attested copy of the within Summons, and making contents of same known to him. So answers Harry B. Smith, Sheriff. Sept. 16, 1941, Statement of claim filed. Same day, proof of service of copy upon defts. filed. Sept. 19, 1941. J. R. Heyison, Esq., Beach Building, Oil City, Pa., and Herbert A. Mook, Esq., appear for Defts. (See paper filed.) And now, Oct. 6, 1941. On motion in open Court, rule granted on plaintiffs to show cause why the statement of claim filed in the above entitled case should not be stricken off; returnable see. reg. (See paper filed) Per Curiam

208	Venire for the first and second Mondays of October, 1940. Issued Aug. 24, 1940 Ora Slayton $2.50	Venire for sixty qualified persons to be Traverse Jurors for the Court of Common Pleas to be held two weeks beginning the first and second Mondays of October, 1940. Sept. 13, 1940. Venire returned, with panel of jurors drawn and return of service by Sheriff annexed.
L. & A. R. McGrath Humes & Kibort Kenneth N. Rice X Herbert A. Mook Stuart A. Culbertson	Hugh McBride, a minor, by Harry V. McBride, his guardian and Harry V. McBride and Elizabeth McBride, his wife, in their own right, vs. Township of Rome, a municipal corporation.	Record continued from page 485 of No. 147 May Term, 1940. March 10, 1947 Continued on agreement of Counsel. Per Curiam. On Fall Trial List, 1947, No. 121. Now, October 10, 1947 Jury selected and sworn October 11, 1947, at 10:20 o'clock A. M. as follows:- Harry E. House, 2 - Cecil E. Gerow, 3 - Bernice Sivaling, 4 - Henry McGuire, 5 - Glenn Woodcock, 6 - Thelston Smock, 7 - Claire Walton, 8 - Mrs. Thelma Hoy, 9 - Marion C. Judd, 10 - Dorothy Patton, 11 - Clyde Bogardus, 12 - Mrs. Bertha McGuire; twelve good and lawful persons who upon their solemn oath which they have taken say Oct. 11, 1947 at 10:25 A. M., they find a verdict in favor of the Plaintiffs and against the Defendant Township of Rome in the sum of Seven Hundred ($700.00) Dollars. "Corp." page 127.

F. Joseph Thomas
209
Thomas & Kibort
8/29/40 P.D.S. Pro

Coleopha Reasbeck
vs.
Levi A. Mott
Issued Aug. 24, 1940

Tax & writ (9/12/40 Paid) $2.00
Stff. Smith (Pd) 3.30
Pro. for Co. 11-1-40. Pd. 1.25
Atty. 3.00

Summons in Trespass;
Returnable to second Monday of September next.
Writ retd: Served the within Summons on Levi A. Mott, on Aug. 28, 1940, at 7:00 o'clock P. M., at No. 215 Lincoln Av., City of Meadville, Crawford County, Pa., by handing to him a true and attested copy thereof, and making contents of same known to him. So answers
Harry B. Smith, Sheriff
And now Nov 1, 1940 this case settled, ended and discontinued
F. Joseph Thomas

Walter J McClintock 210	Petition of Commissioners of Crawford Co. for approval of private sale to Mrs Nevada F Green of Cleveland, Ohio, of 40 acres of land in Sparta T, assessed to Leonard Smith, and sold to said County Comrs at Treasurers sale for taxes on Aug 7, 1933 Entered Aug 26, 1940 Pro. Clayton 5.00	Preliminary Order Now, August 26, 1940, upon presentation and consideration of the within petition the Court fixes the second Monday of September 1940, at 9:30 o'clock A. M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. Per Curiam, O. Clare Kent, P.J. Final Order: And now, September 9, 1940, at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Mrs Nevada F. Green of Cleveland, Ohio, a Commissioners deed for the proper conveyance of said land and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, O. Clare Kent, President Judge. (See paper filed)

Walter J McClintock 211	Petitioners of commissioners of Crawford County for approval of private sale to Arthur E Blackford, of a lot in Woodcock Township assessed in the name of A J Kossler and sold to said Comrs at Treasurers sale for taxes on Aug 7, 1933 Entered Aug 26, 1940 # Pro. Slayton 5.00	Preliminary Order Now August 26, 1940 upon presentation and consideration of the within petition the Court fixes the second Monday of September, 1940, at 9:30 o'clock A.M. or as soon thereafter as the attention of the Court may be had for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. Per Curiam O. Clare Kent, P.J. Final Order: And now September 9, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make, and deliver to the purchaser, Arthur E Blackford, of Saegertown, Pa., R D #1, a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, O. Clare Kent, President Judge (See paper filed)

Walter J. McClintock 212	Petition of Commissioners of Crawford County for approval of private sale to Marshall L. Williams and Mildred J. Williams, of 27 acres in Greenwood Twp., assessed in the name of C.F. Diley Est. & sold to said Comrs at Treas. sale for taxes on Aug. 6 1934. Entered Aug. 26, 1940 # Pro. Clayton 5.00	Preliminary Order. Now, August 26, 1940, upon presentation and consideration of the within petition, the Court fixes the second Monday of Sept. 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. Per Curiam, O. Clare Kent, P.J. Final Order: And now, September 9, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and, after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchasers Marshall L. Williams and Mildred J. Williams, of Geneva, Pa., R.D.#1, a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and and to pay all costs of this proceeding from said purchase price. Per Curiam, O. Clare Kent President Judge. (See paper filed)

Walter J. McClintock 213	Petition of Commissioners of Crawford County for approval of private sale to John Albert Holabaugh and Marguerite L. Holabaugh of 80 acres of land in Vernon Tp, assessed in name of Lincoln Stearns and sold to said Comrs at Treasurer's sale for taxes on Aug. 1, 1932. Entered Aug 26, 1940 # Pro. Slayton 5.00	Preliminary Order Now, August 26, 1940, upon presentation and consideration of the within petition, the Court fixes the second Monday of Sept. 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. Per Curiam, O. Clare Kent, P.J. Final Order: And now, September 9, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchasers, John Albert Holabaugh and Marguerite L. Holabaugh, his wife, of Meadville, Penn'a R.D.#4, a Commissioners' deed for the proper conveyance of said land, and to collect the purchase therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, O. Clare Kent, President Judge. (See paper filed)

Raymond C. Miller	William G. Smith Administrator et a. of the estate of Julia B. Burke, decd. vs. Mike Packuk and Effie Packuk, mortgagors and real owners. Issued Aug. 27, 1940	Scire Facias sur Mortgage recorded in Mortgage Book Vol. 177, page 23. Returnable the first Monday of October, 1940. Aug 27, 1940. Affidavit of default affidavit of residence and Statement of claim, filed. Writ returned: Writ and copy of Statement served personally on both defendants on Aug 30, 1940 at their residence in Dunmore Township, by Harry B Smith, Shff. For return at length see writ
214		

Tax & writ (paid)	3.00
Rec. & mock	.50
Shff. Smith (paid)	9.00
Pro. disc. 9-25-40 Pd.	1.00
Attys.	3.00

And now, September 25, 1940, I direct the Prothonotary to discontinue the above case of record.

Raymond C Miller
Atty for Plaintiff.

SEPTEMBER TERM, 1940

Kent & Kent

215

J. E. Jack

✓

9/11/42, for value received hereby assign, transfer & set over unto W. H. Loker, his executors, administrators or assigns, this judgment, debt, interest & costs & authorize W. H. Loker to collect all moneys due or to become due on the same.

Arthur E. Byham
D. B. A.
W. E. Byham & Son

Witness: Paul D. Slayton ✓
April 29, 1943 This Judgment assigned to Ralph S. Monnin R.D. #7 Meadville, W. Mead Twp. (See paper filed)

Arthur E. Byham doing business as W. E. Byham & Son
vs.
Rose E. Loker, administrator of Lottie Monnin, deceased
Entered Aug. 29, 1940

Tax & entry pd. 9/6/40	2.25
Pro. for Co. 7/17/42. Pd.	3.00
Atty.	3.00

Summons in Assumpsit, Returnable to next term.

Now, Aug. 29, 1940, J. E. Jack, Esq. appears for Deft., waives the issuance of a summons and accepts service of the same, as fully and with the same effect as if a summons had been duly and regularly issued to the Sheriff of Crawford County, and by him served upon the said Rose E. Loker, admx. as aforesaid. (See praecipe)

April 23, 1942 Statement of claim filed.

June 1, 1942, Service of copy of statement of claim accepted by defendants attorney. (See paper filed.)

And now, July 7, 1942, on motion of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant for want of an affidavit of defense and liquidated at the sum of Four hundred forty two & 63/100 Dollars, with costs of suit.

Debt $442.63
Interest from July 7, 1942
Judgment
Paul D. Slayton, Prothy.

L-p. 106; M-p. 200.

Kent & Kent

216

J. E. Jack

✓

Sept. 11, 1942, This judgment assigned to W. H. Loker, Chapmanville, Pa. See paper filed.)

April 29, 1943 This ✓ Judgment assigned to Ralph S. Monnin, R.D. #7 Meadville, ✓ W. Mead Twp. (See paper filed.)

Dr. Edgar J. Deissler
vs.
Rose E. Loker, administrator of Lottie Monnin, deceased
Entered Aug. 29, 1940

Tax & entry pd. 9/6/40	2.25
Pro. for Co. 9/12/42. Pd.	3.00
Atty.	3.00

Summons in Assumpsit, Returnable to next term.

Now, Aug. 29, 1940, J. E. Jack, Esq. appears for Deft., waives the issuance of a summons and accepts service of the same, as fully as if a summons had been duly and regularly issued to the Sheriff of Crawford County, Penna. and by him served personally upon Rose E. Loker, admx. as aforesaid. (See praecipe)

July 9, 1942 Statement of claim filed.

And now, July 31, 1942, on motion of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant for want of an affidavit of defense and liquidated at the sum of One hundred twenty eight & 22/100 Dollars, with costs of suit.

Debt $128.22
Interest from July 31, 1942.
Judgment
Paul D. Slayton, Prothy.

L-page 106; M-page 200.

217 Eugene Mackey	The City of Lakewood vs. Laura Theobald Issued Aug 31, 1940 Tax writ 12/30/40 paid 3.50 Stiff Smith	Certiorari to Robert A Kerr, Esq Alderman Returnable to Aug 31, 1940 Affidavit and recognizance Filed. Now, Aug 31, 1940, on oral motion leave is hereby granted Eugene Mackey, Esq. to sign the above bond. Per Curiam, D Blair Kent, J.

SEPTEMBER TERM, 1940

F. Joseph Thomas

2.18

Feby. 11, 1941, Rec'd $35.00 costs
P. D. S.

Feby 15, 1941 - Rec'd $35.00 master's fee.
Ralph F. Joyce Master.

Neva E. Thiele, by her grandmother and chosen guardian, Etta Stearns
vs
Karl G. Thiele
Issued Sept. 3, 1940

Tax Writ 12/26/40, Pd, 3.00
Shff. Smith et al. (Fee) 4.90
Shff. Smith, alias (Fee) 1.60
Shff. Smith, prpa (Bd. 17.15)
Ralph F. Joyce, Master, 25.00
Subs. for Co. 2-11-41, Pd, 10.00
atty, 3.00

Subpoena in Divorce.
And now, September 3, 1940, Subpoena awarded, Returnable to the first Monday of October, 1940.
Per Curiam,
O Clare Kent P.J.

Subpoena returned: Oct. 7, 1940. Non est inventus as to Karl G. Thiele, respondent, as per return of Sheriff from Allegheny County Pa., hereto attached.
So answers Harry B. Smith, Shff

Nov. 15, 1940 Alias Subpoena in Divorce issued, returnable to first Monday of January next.

Alias Subpoena retd: Jan. 6, 1940 Non est inventus as to the within named respondent. So answers
Harry B Smith, Sheriff.

Jan. 6, 1941, Order for Proclamation in Divorce issued, returnable to next term.

Feb. 10, 1941, ---- I have made proclamation in the above entitled case according to law, and caused the same to be published in the Linesville Herald, Linesville, Pa., a newspaper printed within my bailiwick once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached.
So answers,
Harry B. Smith, Sheriff.

And now, February 10, 1941, Ralph F. Joyce, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court. Per Curiam.

Feby. 15, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 25.

March 4, 1941, After due consideration a divorce is decreed as prayed for and the respondent, Karl G. Thiele, is ordered to pay the costs of this proceeding. Per Curiam.

— Decree —

And now, March 4 - A.D. 1941, this cause came on to be heard on libel, subpoena & subsequent proceedings and evidence thereon is duly taken therein and filed of record and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed, That the said Neva E. Thiele be divorced and forever seperated from the matrimonial bonds and bonds of matrimony heretofore contracted between her the said Neva E. Thiele the libellant and the said Karl G. Thiele the respondent; and That thereupon all & every the rights and claims accruing to either the said libellant or the said respondent at any time hereto fore in pursuance of said marriage shall cease & determine; And said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. Per Curiam

Stuart A. Culbertson 219	A. J. Tiel vs. Cecelia Tiel Issued, Sept. 3, 1940 # Tax & writ (pd 10/5/40) 3.00 Shff. Smith (paid) 3.20 Pro. Stayton (pd 10/5/40) 1.00	Subpoena in Divorce. And now, September 3, 1940, Subpoena awarded, returnable to the first Monday of October, 1940. Per Curiam, Oblare Kent, P.J. Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 7th day of September, 1940, by delivering to her a true and attested copy of the same and making known to her the contents thereof. So answers Harry B. Smith, Shff. And now Oct 4th, 1940 I here discontinue the above case Martha Culbertson Libellant

Walter J. McClintock

220

Petition of Commissioners of Crawford County for approval of private sale to Alvin J. Williams, and Clarissa C. Williams, his wife, of two pieces of land in Athens Tp. subject to mortgages; which was assessed in name of W.C. Himebaugh, and sold to said Comrs. at Treasurers sale for taxes on 1st Monday of Oct. 1934 Entered Sept. 3, 1940. Pro. Slayton $5.00

Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of September, 1940, at 9:30 A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation, published in the County of Crawford (See paper filed) Per Curiam.

Final Order: And now, Sept. 23, 1940, at 9:30 o'clock a.m., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchasers, Alvin J. Williams and Clarissa C. Williams of Athens Township, a Commissioners deed for the proper conveyance of said land, and to pay the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

Per Curiam,
O. Clare Kent, P.J.

(See paper filed)

Walter J. McClintock

221

Petition of Commissioners of Crawford County for Approval of private sale to ~~First~~ Nat. Bank of Union City, Pa., subject to mortgage, of 50 acres of land in Bloomfield Tp., assessed in name of Frank Hart, and sold to said Comrs. at Treasurers sale for taxes on 1st Monday of Aug. 1933 Entered Sept. 3, 1940

Pro. Slayton $5.00

(See paper filed)

Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of Sept. 1940, at 9:30 A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice to be given by publication in one newspaper of general circulation published in the County of Crawford, and notice of said petition and order to be given to the School District of Bloomfield Tp. and the Supervisors of said township, being the taxing authorities; said notice to be served on them personally, or by registered mail. Per Curiam.

Sept. 23, 1940, Proof of publication of notice, and acceptance of service by the School Board and Supervisors of Bloomfield Tp. filed.

Final Order: And now, Sept. 23, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The National Bank of Union City, of Union City, Penna, a Commissioners deed for the proper Conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. (See paper filed.)

Per Curiam.
O. Clare Kent, P.J.

Walter J. McClintock

222

Petition of Commissioners of Crawford County, for approval of private sale to ~~First~~ Nat Bank of Union City, Pa., subject to mortgages, of 310 acres of land in Bloomfield Tp, assessed in name of Ralph Blakeslee, and sold to said Comrs at Treasurers sale for taxes on 1st Mon. of Aug 1932
Entered Sept. 3, 1940
Pro. Slayton #5.00

Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of Sept. 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford, and notice of said petition and order to be given to the School District of Bloomfield Tp, and the Supervisors of said township, being the taxing authorities, said notices to be served upon them personally, or by registered mail.
(See paper filed) Per Curiam

Sept. 23, 1940, Proof of publication of notice, and acceptances of service by the School Board and Supervisors of Bloomfield Tp, filed.

Final order: And now, Sept 23, 1940, at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The National Bank of Union City, of Union City, Pa., a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.
(See paper filed) Per Curiam
O. Clare Kent, P.J.

Walter J. McClintock

223

Petition of Commissioners of Crawford County for approval of private sale to H.B. Lyons, of 100 acres of land in Bloomfield Tp., assessed in name of W. E. Stover, and sold to said Comrs at Treasurers sale for taxes on 1st Mon. of Aug. 1934.
Entered Sept 3, 1940
Pro. Slayton #5.00

Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of Sept. 1940, at 9:30 o'clock A.M., or as soon thereafter, as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford
(See paper filed) Per Curiam

Final Order: And now, Sept 23, 1940, at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, H.B. Lyons, of Union City, Penna, a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

(See paper filed)

Per Curiam
O. Clare Kent, P.J.

Walter J. McClintock

224

Petition of Commissioners of Crawford County for approval of private sale to Natl Bank of Union City, Pa. subject to mortgage, of two pieces of land in Bloomfield Tp, assessed in names of Bell Lafferty and Belle and John Lafferty, and sold to said Comrs. at Treasurer's sale for taxes, on 1st Mon. of Aug. 1934
Entered Sept. 3, 1940
Pro. Slayton $5.00

Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of Sept. 1940, at 9:30 A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford, and notice of said petition, and order to be given to the School District of Bloomfield, being the taxing authorities; said notice to be served on them personally or by registered mail
(See paper filed) Per Curiam

Sept. 23, 1940, Proof of publication of notice filed, and acceptance of service by the School Board and Supervisors of Bloomfield Tp, filed.

Final Order. And now, Sept. 23, 1940, at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The National Bank of Union City, of Union City Pa, a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.
(See paper filed) Per Curiam,
O. Clare Kent, P.J.

Walter J. McClintock

225

Petition of Commissioners of Crawford County for approval of private sale to Natl Bank of Union City, Pa, subject to mortgage, of 50 acres of land in Bloomfield Tp, assessed in name of Eva Kightlinger, & sold to said Comrs. at Treasurer's sale for taxes, on 1st Monday of Aug. 1933
Entered Sept. 3, 1940
Pro. Slayton $5.00

Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of Sept. 1940, at 9:30 A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford, and notice of said petition and order to be given to the School District of Bloomfield Township, and the Supervisors of said township, being the taxing authorities, said notice to be served on them personally, or by registered mail.
(See paper filed) Per Curiam

Sept. 23, 1940, Proof of publication of notice, and acceptance of service of petition and order by the School District and the Supervisors of Bloomfield Tp., filed.

And now, Sept. 23, 1940, at 9:30 o'clock A.M, the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The National Bank of Union City of Union City, Pa., a commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.
(See paper filed)
Per Curiam,
O. Clare Kent, P.J.

Walter J. McClintock

226

Petition of Commissioners of Crawford County for approval of private Sale to National Bank of Union City, Pa., subject to mortgage, of 115 acres of land in Bloomfield Tp, assessed in name of Everett Childs, and sold to said Comrs. at Treasurers sale for taxes on 1st Monday of Aug. 1934

Entered Sept. 3, 1940

Pro Slayton $5.00

Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of Sept. 1940 at 9:30 A.M. or as soon thereafter as the attention of the Court may be had, for a hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the county of Crawford, and notice of said petition and order to be given to the School District of Bloomfield Township and the Supervisors of said Township, being the taxing authorities; said notice to be served on them personally or by registered mail (See paper filed) Per Curiam.

And now, Sept. 23, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The National Bank of Union City, of Union City, Penna., a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of the proceeding from said purchase price.

(See paper filed)

Per Curiam,
O. Clare Kent, P.J.

Sept. 23, 1940, Proof of publication of notice, and acceptance of service of notice by the School District and Supervisors of Bloomfield Tp., filed.

Walter J. McClintock

227

Petition of Commissioners of Crawford County for approval of private sale to Nat. Bank of Union City, Pa, subject to mortgage, of 100 acres of land in Rockdale Tp. assessed in name of J. C. Belsar, and sold to said Comrs. at Treasurers sale for taxes on Aug. 1, 1932

Entered, Sept. 3, 1940

Pro Slayton $5.00

Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of Sept. 1940 at 9:30 A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford, and notice of said petition and order to be given to the School District of Rockdale Township and the Supervisors of the Township of Rockdale, being the taxing authorities; said notice to be served on them personally, or by registered mail (See paper filed) Per Curiam.

Sept. 23, 1940, Proof of publication of notice, and acceptance of service of notice by the School District and the Supervisors of Bloomfield Township, filed.

And now, Sept. 23, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The National Bank of Union City, of Union City, Pa., a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

(See paper filed)

Per Curiam,
O. Clare Kent, P.J.

Walter J. McClintock 228	Petition of Commissioners of Crawford County. for approval for private sale to Frank M. Beegle and Harriet L. Beegle, of a Lot in Summit Tp., assessed in name of Mr. and Mrs. Thomas English, and sold to said Comrs. at Treasurers sale for Taxes on 1st Monday of August, 1934. Entered Sept. 3, 1940 Bro. Slayton $5.00	Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of Sept. 1940, at 9:30 o'clock A. M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. (See paper filed) Per Curiam. And now, Sept. 23, 1940, at 9:30 o'clock A. M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchasers, Frank M. Beegle and Harriet L. Beegle, of Rouseville, Penna., a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, O. Clare Kent, P.J. (See paper filed)
Walter J. McClintock 229 Sept. 23, 1940, Proof of publication of notice, and acceptance of service of notice by the School District and the Supervisors of Bloomfield Township, filed.	Petition of Commissioners of Crawford County, for approval of private sale to Natl. Bank of Union City Pa., subject to mortgage, of 32.5 acres of land in Bloomfield Tp., assessed in name of Rossell Bros. and/or H.B. Rossell estate, and sold to said Comrs. at Treasurers sale for taxes on Oct. 5, 1934. Entered Sept. 3, 1940. Bro. Slayton $5.00	Now, September 3, 1940, upon presentation and consideration of the within petition, the Court fixes the fourth Monday of Sept. 1940, at 9:30 A. M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford, and notice of said petition and order to be given to the School District of Bloomfield Tp. and the Supervisors of the Township of Bloomfield, being the taxing authorities; said notice to be served on them personally or by registered mail. (See paper filed) Per Curiam. And now, Sept. 23, 1940, at 9:30 o'clock A. M., the time fixed for a hearing on said petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The National Bank of Union City, of Union City, Penna., a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. (See paper filed) Per Curiam, O. Clare Kent, P.J.

Raymond C. Miller

230

Henry Vance, now to the use of Mary J. Young
vs
Charles A. Harman and Mrs. C. A. Harman, also known as Lillyan A. Harman
Entered Sept. 3, 1940

Pro. Slayton (paid) $2.25
Atty 3.00
Plff. on Origl 1.75
($4.00 of costs included in debt)

Of No. 158 November Term, 1935, D. & B
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said comm and duly so returned; and that a judgment be entered thereon in favo of the plaintiff and against the defendants, for the sum of Seventee hundred ninety-nine and 36/100 Dollars ($1799.36), being the amount of debt, interest and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note. Dated September 2, 1940

Debt $1799.36
Int. from Sept. 2, 1940

Fa. fp. 17+28

Judgment
Paul D. Slayton, Prothy.

Nov. 30, 1942, Amicable Sci. Fa. to No 32 Feb. Term, 1943

J. Berry Eckels

231

Lucy A. Riffer
vs
C. C. Burford, Dept. and First National Bank at Conneaut Lake, Pa., Garnishee.
Issued Sept. 4, 1940

Tax twrit (paid) $2.75
Shff. Smith (paid) 8.00
Pro. Slayton 12/31/40 Paid 3.50
Atty 3.00
Atty for Garnishee 10.00
Shff. Smith (paid) 4.90

Of No. 564 May Term, 1940, D. & B. 13
Attachment Execution, Returnable to first Monday of October nex
Sept. 5, 1940, Interrogatories to Garnishee filed, and rule entered to answer same in 10 days after service. 2 cert. copies issued
Writ returned: Attached as within com manded the goods, chattels, moneys and credits and effects of the defend ant C. C. Burford, in the hands of the first National Bank at Conneaut Lake, Pa Garnishee; on the 4th day of Sept. 1940 at 1:00 o'clock P. M., and declared in the presence of credible witnesses of the neighborhood that said goods, moneys, estate and effects were attached a the goods, and effects of the defendant in the hands of the said garnishee; and at the same time summoned the First National Bank at Conneaut Lake, Pa., as garnishee, by handing a true and attested copy of the within wr to S. W. Isch, Cashier of the First National Bank at Conneaut Lake, Pa., at their place of busines in the Borough of Conneaut Lake, Crawford County, Pa., and on Sept. 4, 1940 at 1:30 P. M., served the within writ on the defendant C. C. Burford at the First National Bank at Conneaut Lake, Pa., by handing to him

Paul E. Thomas, for Garnishee
Raymond C. Miller
10-30-41 for defendant

Audnow August 3, 1942, I enter appearance for Mrs. M. A. Burford, Garnishee.
Raymond C. Miller

Costs Contd:
Pro. Slayton alias Att. Ex. $2.00
Pro. Slayton plures Att. 12-4-42. Rd. 3.00
Shff. King, Plu. Att. Ex. (pd) 8.10

12/7/42 Recd of Prothy $10 atty for garnishee O. E. Thomas.
12/8/42 I hereby waive fees as atty for garnishee
M. A. Burford
Raymond C. Miller, Atty

(Continued on next page)

Nov.

232

D. P. Swaney and Mary E. Swaney, or survivor,
vs.
Amos Terrill and Mrs. Zella Terrill
Entered Sept. 4, 1940
Pro. Slayton paid $2.50

Of Nos. 406 & 407 February Term 1935
Amicable Scire Facias sur Judgments.
It is agreed That the Prothonotary of said court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants for the sum of Six hundred seventy-eight, and 50/100 Dollars, being the amount of debt, interest to April 12, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Dated Sept. 3, 1940

Debt $678.50
Int. from April 12, 1940
Judgment
Paul D. Slayton, Prothy

T. p. p. 594 38.

The Amos Terrill of this judgment resides in Spring Township, Crawford County, and is not the Amos H. Terrill of Sadsbury or Summit Tp.

July 24, 1945, Writing filed wherein plaintiffs release from the lien of this judgment two pieces of land situate in Cussewago township containing 64 acres, more or less, and 21 square rods, more or less. Being the same land conveyed by Wilbert W. White, et ux to Zella Terrill, et al, by Deed dated July 6, 1939, recorded in Deed Book 98, page 49. (See paper filed.)

Sept. 14, 1945, Am. Sci. Fa. to No. 11 Nov. Term, 1945. D. P. Swaney

(Continued from preceding page)

him a true and attested copy of the within writ, and making contents of same known to him.

Also, served a copy of Interrogatories and Rule on Garnishee, personally on The First National Bank at Conneaut Lake, Pa., Garnishee by serving, S. W. Gehr, Cashier of said bank, at their place of business in the Borough of Conneaut Lake, Crawford County, Pa., on Sept. 29, 1940, at 10:10 o'clock A. M. by handing to him a true copy thereof, and making contents of same known to him.

Also, served a copy of Interrogatories and Rule on Garnishee, on L. L. Burford, defendant, by Weddie Leibert Constable, of the City of New Kensington, Pa., serving same on him, as per his return of same attached to this writ.

So answers Harry B. Smith, Sheriff.

Sept. 2, 1941, Alias Attachment Execution issued, returnable to first Monday of October next, naming the same garnishee as in the original writ.

Sept. 8, 1941, Paul E. Thomas, Esq., appears for Garnishee. (See paper filed.)

Alias writ retd. Served on Garnishee Sept. 3, 1941, at 9:00 A. M. (For return in Oct. see writ.)

Oct. 29, 1941, Interrogatories & rule filed.

Oct. 29, 1941, Acceptance of service of rule and interrogatories by atty for garnishee, filed.

Nov. 8, 1940, Answers of Garnishee to Interrogatories filed, being attached to writ of Attachment Execution.

And now, November 7, 1940, On motion in open Court, judgment is entered in favor of the plaintiff and against the garnishee in the sum of Two hundred forty-two Dollars ($242.00), being the amount admitted in the answers to interrogatories. (See paper filed).

Debt Per curiam $242.00
Int. from Nov. 7, 1940
Judgment
Paul D. Slayton, Pro

Record Continued on page 637

Comp. page 109.

Fi. Fa. No. 19 Feby. Term, 1941.

Jan. 6, 1941. This judgment satisfied. (See Fi. Fa. filed.)

Thomas & Kiebort	Clarence Curtis, Alonzo Curtis, Glenn R. Curtis and Miller Jamison vs Russel Hills and Horace P. Chinn Issued Sept. 4, 1940	Summons in Trespass. Returnable to first Monday of October next.
233		Oct. 7, 1940 F. Joseph Thomas, Esq. appears for Russell Hills, one of the defts. (See paper filed)
F. Joseph Thomas for		Writ returned: served the within summons personally on Russel Hills at his home in Summerhill Township, Crawford County, Pa. on Oct. 1, 1940 at 3:25 o'clock P.M. by handing to him a true and attested copy of the within summons and making contents of same known to him; also served the within summons personally on Horace P. Chinn at the Meadville Brick Company, Cutts & Park Ave. City of Meadville, Crawford County, Pa. on Sept. 24, 1940 at 2:40 o'clock P.M. by handing to him a true and attested copy of the within summons and making contents of same known to him. So Answers: Harry B. Smith Sheriff.
Robert M. Daly Deputy Attorney General for Deft. Horace P. Chinn 11/9/40 P.D.S. Pro	Jay & Swit paid 2.00 Stiff Smith 10/16/40 Co. paid 7.20 Prothonotary 3/24/41 Rd. 6.45 Atty 3.50	Oct. 21, 1940 Statement of claim filed; copy certified.
		On Winter Trial List, 1941, No. 38.
		Jany. 16, 1941 Continued on application of Deft. Harold P. Chinn, and marked Remanet. Per Curiam.
		On Spring Trial List, 1941, No. 11.
		March 3, 1941 By agreement of counsel to foot of the list. Per Curiam.
		Now Mar. 24, 1941, this proceeding is hereby settled and discontinued of record. Thomas & Kiebort Attys. for Plffs.

G. Wayne Altenburg 234	In the Matter of the estate of Harold Bond, adjudged to be a person of weak mind in Warren County, Pa., at No. 43 June Term, 1940. Entered Sept. 3, 1940 Pro. Clayton (Paid 9/3/40) $5.00	Sept. 3, 1940, Petition of E. E. Lindmark, guardian of the estate of Harold Bond, a person of weak mind, by appointment in the Court of Common Pleas of Warren County, Pa., at No. 43 of June Term, 1940, for leave to join with the other parties in interest in granting and conveying unto R. N. Rauschenberg, two pieces of land in the City of Titusville, Pa., described at length in the petition, presented in Open Court and filed. Order of Court And now, this 3d day of September, 1940, the above petition is is presented, read and considered, and thereupon the Court order that the prayer thereof be granted, and the said E. E. Lindmark, guardian of Harold Bond, a person of weak mind, is hereby authorized and empowered to join with the other parties in interest in granting, conveying and assuring unto R. N. Rauschenberg, his heirs and assigns, the premises described in the above and foregoing petition upon receipt by the said guardian of the share or proportion of the said purchase money to which the said ward will be entitled, so that the said conveyance shall vest in the purchaser a fee simple title, indefeasible by any party or persons having a present or expectant interest in the premises, and that the said purchaser be unprejudiced by any error in the proceedings of this Court, and in all other respects take title according to the force and effect of the Act of Assembly in such cases made and provided. Security to be first entered in the sum of $600.00. Per Curiam, O. Clare Kent, P.J. (See paper filed.)

Thomas & Kiebart, Jaugh
Arden D. Mook
235

Virginia Miller
vs.
Harry C. Miller
Issued Sept. 5, 1940

	$
Tax & writ 12/30/40. Pd.	3.00
Shff. Smith	1.60
Shff. Smith, alias Pd.	6.30
A. D. Andrews, Master	25.00
Pro. for Co. 2-10-41. Pd.	9.10
Atty.	3.00

Subpoena in Divorce and for the custody of the children born of the marriage, to wit, Charles aged 16, Phyllis aged 14 Eileen aged 13.

And now, Sept. 5, 1940 Subpoena awarded, Returnable to first Monday of October next.

Per Curiam,
O. Clare Kent, P.J.

Subpoena retd. Oct. 7, 1940, Non est inventus as to the within named respondent

So answers Harry B. Smith, Sheriff

And now, Jan. 9, 1941 Thomas & Kiebart appear for the libellant (See paper filed)

Jan. 9, 1941 Subpoena in Divorce issued, returnable to second Monday of Feb. next.

Feby. 10, 1941, Alias subpoena retd: Served the within alias Subpoena in Divorce on the Respondent, personally on the 14th day of January 1941, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit

So answers,
Harry B. Smith, Sheriff.

And now, February 10, 1941 on presentation of within motion A. D. Andrews, Esq., is appointed Master to take testimony in the above entitled case.

Per Curiam,

Feby. 21, 1941, Motion for amendment of libel filed;

Order: And now, Feby. 21, 1941, amendment allowed nunc pro tunc as of September 5, 1940.

Per Curiam.

Feby. 21, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 49.

March 14, 1941, After due consideration a divorce is decreed as prayed for, the respondent, Harry C. Miller, is ordered to pay the cost of this proceeding and the custody of minor children, Charles, Phyllis and Eileen Miller, is awarded to libellant, Virginia Miller.

—Decree—

Per Curiam.

And now-to wit; March 14-A.D. 1941 this cause came on to be heard on libel subpoena subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the Court that the Cause set forth in said libel do have it is by the Court ordered adjudged and decreed. That the said Virginia Miller be divorced for ever, seperated from the nuptial tie and bonds of Matrimony heretofore contracted between her the said Virginia Miller the libellant and the said Harry C. Miller the respondent and that thereupon all and every the duties, rights & Claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine;

Cont on margin

Feby. 10, 1941, Rec'd. of Pro. $35.00 costs.
P. D. S.

Feb. 21, 1941 Rec'd of Pro. thirty-two $25.00 Master's fee.
A. Dickson Andrews

Mar. 19-1941, Rec'd. of Pro. Slayton 90¢ refund on costs
Thomas & Kiebart

and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married

It is further ordered and decreed that the Custody of minor Children Charles Phyllis and Eileen Miller is awarded to libellant Virginia Miller

Per Curiam

Joseph J Thomas
Arden D. Mook
236

Dorothy Fredrick
vs.
John E Fredrick
Issued Sept. 5, 1940

Tax & writ (paid) 12/7/40 $ 3.00
Shff. Smith 1.60
Shff. Smith, alias 3.20
John C. Spencer, Master 25.00
Pro. for Co. 2-3-41. Pd. 8.10
Atty 3.00
Pro. for Co. Sealias 2-6-41. Pd. 1.00

Feby. 3, 1941, Rec'd. $33.10 costs. P.D.S.

Feby. 10, 1941, Paid John C. Spencer, Esq. $25.00 Master fee by check #31. P.D.S.

Received the above check.
John C. Spencer
2/10/41

Subpoena in Divorce.

And now, Sept. 5, 1940, Subpoena awarded, Returnable to first Monday of October next.

Per Curiam,
O Clare Kent, Pro.

Subpoena retd: Oct. 7, 1940 Non est inventus as to the within named respondent. So ans. Harry B Smith, Shff.

Dec. 26, 1940, Alias Subpoena in Divorce issued returnable to first Monday of Feb. 1941.

Subpoena returned: Served the within alias subpoena in divorce on the respondent personally on the 26th day of Dec. 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers Harry B Smith, Sheriff.

And now, February 3, 1941, John C. Spencer, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court. Per Curiam.

Feby. 10, 1941, Testimony and Report of Master filed.

On Argt. List for Febl. Term, 1941, No. 26.

March 4, 1941, After due consideration a divorce is decreed as prayed for and the respondent, John E. Frederick, is ordered to pay the costs of this proceeding.

Per Curiam.

Decree.

And now, to wit: March 4, A.D. 1941, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed. That the said Dorthy Fredrick be divorced and forever seperated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Dorthy Fredrick the libellant and the said John E. Fredrick the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine: And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam

Kenneth W. Rice	Herman G. Eldred, a minor by his guardian, Herman D. Eldred, and Herman D. Eldred in his own right	Summons in Trespass, Returnable to next term. And now, Sept. 5, 1940 Paul E Thomas, Esq., appears for the defendants, waives the issuing of a summons and accepts service thereof with the same force and effect as if the same had been regularly issued and duly served. See praecipe. Received Sept 5, 1940 the sum of $192.14 for expenses and $100 awarded to minor and the above action is hereby settled and discontinued of record. Herman D. Eldred. Attest: Paul D. Slayton, Pro.
237	V5.	
Paul E Thomas	Wayne A. Stone and Morgan P. Boyle	
	Entered Sept. 5, 1940	
	Tax & writ pd. 9-6-40 $2.00	
	Pro. Slayton pd. 9-6-40 3.75	

Sept. 5, 1940, Petition of Herman D. Eldred for allowance of compromise and settlement of this action presented to the court and filed.

Order: And now, September 5, 1940, upon presentation of the forgoing, leave is hereby granted to settle and compromise the above action upon payment to the said Herman D. Eldred of the sum of One Hundred Ninety-two and 14/100 Dollars ($192.14), and by payment unto Herman D. Eldred and Barbara A. Eldred, father and mother of the said Herman G. Eldred, the sum of One Hundred Dollars ($100.00), and upon payment thereof said action shall be marked "Settled and discontinued of record.

Per Curiam,
O'Hare Kent, P.J.

(See praecipe filed)

238 Kenneth W. Rice	Lytle-Kentze Co. vs. J. Gordon Smock DBA "Burchs" Entered Sept. 9, 1940 Jax & entry (paid) $1.50 Costs on Trans. (paid) 7.45	Appeal by Deft. from Judgment of S. G. MacTarnaghan, Alderman. Sept. 9, 1940. Proof of notice of appeal filed
239 Kenneth W. Rice	Margaret Magruder vs. J. Gordon Smock, D. B. A. "Burchs" Entered Sept. 9, 1940 Jax & entry (paid) $1.50 Costs on Trans. (paid) 7.35	Appeal by Deft. from Judgment of S. G. MacTarnaghan, Alderman Sept. 9, 1940, Proof of notice of appeal filed

F. Joseph Thomas 240. Kenneth W. Rice	Harry C. Eby vs. Louis Garrette. Entered Sept. 9, 1940 Tax Certy (paid) # 1.50 Costs on Trans ($2.00 pd) 6.90 Pro. Slayton 9.80 Jury fee 4.00 Atty 3.00	Appeal by Deft from Judgment of S. G. MacFarnaghan, Alderman. Sept. 9, 1940. Proof of notice of appeal fd. Nov. 27, 1940, Statement of claim filed; Service of copy accepted by defendants attorney. Dec. 12, 1940 Affidavit of defense and counter claim filed. Service accepted by Plffs. atty. On Spring Trial List, 1941, No. 30. March 3, 1941, Continued by agreement of counsel. Per Curiam. On Fall Trial List, 1941; No. 45. On Winter Trial List, 1942; No. 10. And now, January 14, 1942, Jury selected and sworn as follow 1- Mrs. Mabel Inman, 2- Mrs George Myers, Jr, 3- Harley Waid, 4- Kenneth Shilling, 5- George Flaugh, 6- Hazel Gerts, 7- David B Rigby, 8- Mrs. Ruth Chinn, 9- Frank A Harman, 10- Mrs. Eva Mens 11- Mrs Laddie Cooper, 12- Jay I Graham: twelve good and lawful persons, who upon their solemn oaths which they have taken, say, same day, they find both parties negligent and cannot recover against each other. Jan. 14, 1942, Defts. points filed. E. page 61.
241. Kenneth W. Rice	Fred J. Magruder vs. J. Gordon Smock, D.B.A. "Burchs." Entered Sept. 9, 1940 Tax Certy (paid) # 1.50 Costs on Trans (paid) 7.35	Appeal by Deft. from Judgment of S.G. MacFarnaghan, Alderman. Sept. 9, 1940. Proof of notice of appeal filed.

242 Herbert A. Mook	Marie Murphy vs. Mrs. M. Coughlin Entered Sept. 9, 1940 Tax & entry (Paid) 1.50 Costs on Trans. 6.65	Appeal by Defendant from Judgment of Rollin T. Silverthorn, Justice of the Peace. Sept. 23, 1940, Proof of service of notice of appeal upon plaintiff, filed.
Rowland B. Mahany (Heading) Petition of Albert O. Law for appointment of a Guardian for Martha D. Kilcoff	In Re. Estate of Martha D. Kilcoff Petition for Leave to Sell Real Estate at Private Sale.	Record Continued from Page 348 of No. 32 September Term, 1940 April 11, 1955, Petition for Sale of Re-estate filed: — Decree: — And Now, to wit, this 11th day of April, 1955, on consideration of the annexed petition and the affidavits thereto attached and on motion of J. C. Scott and R. B. Mahany, Esqrs., Attorneys for the Petitioner, it appearing that it would be to the best interest and advantage of the Estate of Martha D. Kilcoff an incompetent that the premises described in the Petition should be sold to the School District of the City of Titusville, at private sale, for the price of $4,25.00 in cash, and that the said price is better than can be obtained at public sale, It Is Ordered And Decreed that the said Albert O. Law Guardian of the Estate of Martha D. Kilcoff, and incompetent, is hereby authorized and directed to convey the said premises to the said School District of the City of Titusville upon receipt of the said purchase price and upon the filing by the said Guardian of Bond in the amount of $10,000. thus increasing his present Bond in the amount of $1,000.00. Per Curiam. Herbert A. Mook, P.J. May 2, 1955 Bond of Guardian in the amount of Five Thousand ($5000.00) Dollars with Albert O. Law and The Indemnity Insurance Company of North America as sureties approved by the Court and filed. July 15, 1955, Fifth and Final Account of Guardian filed showing no balance due the estate; same day advertisement of Notice of Filing Account sent to The Titusville Herald, Titusville, Pa., stating that said account will be confirmed nisi on the second Monday of August next, and if no exceptions are filed within ten days of nisi confirmation said account will be confirmed absolutely. August 25, 1955 Proof of Publication filed.
And now, Aug. 25, 1955, exceptions having not been filed to the above account the same is hereby confirmed absolutely. Carl W. Clayton, Pro Prothonotary		
October 3, 1955, Petition for Discharge and Order filed: And Now, October 3, 1955, upon consideration of the foregoing petition it is ordered and decreed that Albert O. Law, Guardian of the Estate of Martha D. Kilcoff, an adult of weak mind, now deceased, shall be discharged as said guardian together with his surety, from all further liability pertaining to his office and trust as such guardian, and that he be discharged from all further liability on his bond. Per Curiam, Herbert A. Mook President Judge		

L. Bat McGrath,
Thomas & Kiebort

Herbert A. Mook,
Stuart A. Culbertson

Costs continued:

Org. addl.	$13.25
Sat.	.50
Jury fee	4.00
Atty	3.00

Jan 17, 1946 Recd of Saml S. Slagton 44.75 for defts bill of costs on appeal against a Mook atty

Jan 18, 1946 - Recd $15.00 overpayment of costs due appellant. W. Rue atty for appellants.

Feby. 25, 1946, Off list a/c of pending rule, Per Curiam, On Winter Trial List, 1947; No. 31.

Jany. 14, 1947, Continued on application of Plff, and marked remanet, Per Curiam On Spring Trial List, 1947; No. 4.

March 10, 1947, Continued on agreement of Counsel, Per Curiam, On Fall Trial List, 1947; No. 11.

Now, Oct. 10, 1947, Jury selected and sworn Oct. 11, 1947, at 10:20 o'clock A.M. as follows: 1-Harry E. Houser; 2-Cecil E. Gerow; 3-Bernice Everling; 4-Henry McGuire; 5-Glenn Woodcock; 6-Thelston Smock; 7-Clair Walton; 8-Mrs. Thelma Hoy; 9-Marion C. Judd; 10-Scott Patton; 11-Clyde Bogardus; 12-Mrs. Bertha McGuire: Twelve good and lawful persons who upon their solemn oath which they have taken say Oct. 11, 1947, at 10:25 A.M. they find a verdict in favor of the Plaintiffs and against the Defendant Township of Rome in the sum of Eight Hundred ($800.00) Dollars.

E. J. Fielding, Trustee ad litem for E. J. Fielding et al

vs.

Township of Rome, a municipal corporation

Record Continued from page 372.

Oct. 4, 1943, Record returned and Remittitur and copy of opinion filed, being opinion of Parker, J. filed in the Supreme Court of Penna, Eastern District, on May 10, 1943.

Order of Supreme Court: "The order of the Court Below is reversed and the record is remitted to the Court Below with instructions to make the Rule absolute upon the payment of all costs accrued to date." (See Remittitur)

Aug. 2, 1944, Defendant's Bill of Costs filed.

January 16, 1946, Order of Court filed.

And Now, to-wit, this 16th day of January 1946, it appearing to the Court that on April 8, 1942 the Court made the following Order: "And now, April 8, 1942, it is ordered that plaintiff's petition for leave to file a formal written notice of said accident with the Township of Rome, nunc pro tunc and that the suit entered be permitted to stand and proceed to trial be dismissed and the rule to show cause granted thereon be discharged at the cost of petitioners. Exception noted and sealed for plaintiff. Per Curiam O. Clare Kent, President Judge." And it further appearing that at No. 224 January Term 1942 the Supreme Court of Pennsylvania in the case of Hugh McBride, a minor, by Harry V. McBride, his guardian and Harry V. McBride and Elizabeth McBride, his wife, in their own right, vs. Township of Rome, a Municipal Corporation, on an appeal of the said case made the following Order: "And now, to-wit, May 10, 1943, the Order of the Court below is reversed and the record is remitted to the Court below with instructions to make the rule absolute upon the payment of all costs accrued to date." And the Court being informed that: The following stipulation was filed in the Supreme Court of Pennsylvania in the case of E. Fielding, Trustee ad litem for E. J. Fielding and Eleanore H. Fielding and E. J. Fielding, individually, vs. Township of Rome, a Municipal Corporation, No. 225 January Term 1942: "It is stipulated that the above entitled appeal, involving the same question as the appeal in the case of Hugh McBride, a minor, by Harry V. McBride, his guardian, and Harry V. McBride and Elizabeth McBride, his wife, in their own right vs. Township of Rome, a Municipal Corporation, at No. 224 January Term, 1942, shall be continued pending the decision in the last above mentioned case; and that thereupon the same decision shall be entered in the above entitled appeal." And it further appearing to the Court that all costs accrued to date have been paid by the plaintiffs, it is hereby ordered, adjudged and decreed that the Rule heretofore granted on January 9, 1941, to show cause why plaintiffs should not have leave of Court to file with the Township of Rome, defendant, nunc pro tunc as of December 1, 1939 the notice required by the Act of 1937, P. L. 2547, and the suit filed at No. 147 May Term 1940, be permitted to stand and proceed to trial, be and the same is hereby made absolute. Per Curiam,

O. Clare Kent P. J.

Jan. 15, 1946. Service of a copy accepted by Stuart A. Culbertson, Atty. for Defendant.

See Margin. On Spring Trial List, 1946; No. 17.

NOVEMBER TERM, 1940

Kent & Kent
1

Frances Trace Wills
vs.
Charles Howard Wills
Issued Sept. 9, 1940

Tax & writ 12/30/40. Pd. 3.00
Shff. Smith (paid) 1.60
Shff Smith, alias (pd) 1.60
Shff Smith, proc Pd. 11.15
Kenneth Rice, Master 25.00
Pro. for Co. 2-12-41. Pd. 10.00
Atty. 3.00

Subpoena in Divorce
And now, Sept. 9, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to first Monday of November, 1940.
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned:- November 4, 1940. Non est inventus as to the within named respondent.
So answers,
Harry B. Smith,
Sheriff.

Feby. 12, 1941, Recd. $35.00 costs, P.D.S.

6-24-1941 Received $25.00 master's fee — Kenneth W. Rice Master.

Nov. 11, 1940, Alias Subpoena in divorce issued, returnable to first Monday of January, 1941.
Subpoena retd: Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff.
Jan. 6, 1941, Order for Proclamation in Divorce issued returnable to next term.
Feb. 10, 1941, ----I have made proclamation in the above entitled case according to law, and caused the same to be published in the Linesville Herald, Linesville, Pa., a newspaper printed within my bailiwick once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication attached.
So answers,
Harry B. Smith, Sheriff.

And now, Feby. 12, 1941, Kenneth Rice, Esq., is appointed master to take testimony.
Per Curiam.

Feby. 22, 1941. Testimony and Report of Master filed.
On Argt. List for Feby. Term, 1941, No. 50.

March 14, 1941, After due consideration a divorce is decreed as prayed for and the respondent, Charles Howard Wills, is ordered to pay the cost of this proceeding.
Per Curiam.

Decree.
And now to wit; March 14, A.D. 1941 this cause came on to be heard on libel subpoena, subsequent proceedings, and evidence then in duly taken and filed of record and it appearing to the Court that the causes set forth in said libellant's bill, it is by the Court ordered adjudged and decreed, That the said Frances Trace Wills be divorced and for ever separated from the nuptial ties and bonds of Matrimony here to for contracted between her the said Frances Trace Wills the libellant and the said Charles Howard Wills the respondent, and that they and each of them all and every the duties, rights and claims accruing to either the said libellant or the said respondent, during time here to fore in pursuance of said marriage shall cease and determine."
Court on Margin

and the said libellant & respondent shall thereby be at liberty to marry again as tho' they had never been Married

Per Curiam

Walter J McClintock 2	Petition of Commissioners of Crawford County for approval of private sale to Raymond Bailey of 50 acres of land in Richmond Tp., assessed in name of Federal Land Bank of Baltimore and/or F. W. Perry Est. and sold to said Comrs. at Treasurers sale for taxes on 1st Mon. of Aug. 1933 Entered Sept. 9, 1940 Pro. Slayton #5.00	Now, September 9, 1940, upon presentation and consideration of the within petition the Court fixes the first Monday of October, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice to be given by publication in one newspaper of general circulation published in the County of Crawford. (See paper filed) Per Curiam. Final Order: And now, October 7, 1940 at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Raymond Bailey, of Richmond Township, Crawford County, Pa., a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, (See paper filed) O'Clare Kent, P.J.

Walter J. McClintock 3	Petition of Commissioners of Crawford County for approval of private sale to Frank S. Snyder of 50 acres of land in Spring Tp., assessed in name of J.W. Allen and sold to said Comrs. at Treasurers sale for taxes on first Monday of Aug. 1934. Entered Sept. 9, 1940 Pro. Slayton 5.00	Now, September 9, 1940 upon presentation and consideration of the within petition, the Court fixes the first Monday of October, 1940, at 9:30 o'clock A.M. or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. (See paper filed) Per Curiam. Final Order: And now, October 7, 1940, at 9:30 o'clock A.M. the time fixed for a hearing on the said petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Frank S. Snyder, of Conneautville, Penna, a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor and to pay all costs of this proceeding from said purchase price. Per Curiam, O. Clare Kent, President Judge. (See paper filed.)

Walter J. McClintock 4	Petition of Commissioners of Crawford County for approval of private sale to Albion State Bank of Albion, Pa., of 40 acres of land in Summerhill Tp., assessed in name of Herb Collins, and sold to said Comrs at Treasurers sale for taxes on 1st Mon of Aug, 1934 Entered Sept. 9, 1940 Pro. Clayton $5.00	Now, September 9, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of October, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford (See paper filed) Per Curiam Final Order: And now, October 7, 1940 at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Albion State Bank, of Albion, Penna, a Commissioners deed for the proper conveyance of said land and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. Per Curiam, O. Clare Kent, President Judge. (See paper filed)

Kenneth W. Rice
5

Mildred E. Lytle
vs
Edward H. Lytle
Issued Sept 9, 1940

	$
Jax & writ (paid)	3.00
Shff. Smith (paid)	2.90
Shff. of Venango Co (Pd)	2.60
Donald C. Thompson, Master	25.00
Pro for Co. 5-15-42. Pd.	8.60
Atty.	3.00
	45.10

May 14, 1942, Recd. $35.50 costs. P.D.S.

5-16-1942 - Recd $25.00 master's fee. D. C. Thompson, Master.

June 23, 1942 Received $1.90 refund on costs - K. W. Rice atty.

April 6, 1943 Received $45.10 Divorce Costs from Prothonotary. Kenneth W. Rice Atty for Libellant

Subpoena in Divorce

And now, September 9, 1940 Subpoena awarded. Returnable to the first Monday of November 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce upon Edward H. Lytle, Respondent, by deputizing the Sheriff of Venango County, Pa, as per his return hereto attached. So answers

Harry B. Smith, Shff.

Served the within Subpoena in Divorce on the within named respondent, Edward H. Lytle on Sept. 20, 1940, at 5:50 P.M. at his place of residence # 129 Otter Street, Franklin, Venango County, Pa., by handing to him personally a true and attested copy of the within Subpoena in Divorce, and reading and making known to him the contents thereof

So answers J. O. Bell,
Sheriff, Venango County Pa

And now, May 14, 1942 upon hearing the within motion Donald C. Thompson, Esq., is appointed Master in the above entitled case, to take the testimony, and report thereon to the Court.

Per Curiam

May 16, 1942, Testimony and Report of Master filed.

On Argt. List for May Term, 1942, No. 33.

May 25, 1942 Affidavit of non-military service of respondent filed.

Now June 3, 1942, After due consideration a divorce is decreed as prayed for and the respondent, Edward H. Lytle, is ordered to pay the cost of this proceeding.

Per Curiam
O. Clare Kent P.J.

Decree:

And now, to wit, June 3, 1942, this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed, That the said Mildred E. Lytle be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Mildred E. Lytle, the Libellant, and the said Edward H. Lytle, the respondent, and that thereupon all and every the duties, rights and claims accruing to either the said Libellant or the said respondent, at any time heretofore in pursuance of said marriage, shall cease and determine; and the said Libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. (See paper filed.)

Per Curiam

R. B. Mahaney
6

Leona D. Shields
vs
Howard Shields
Issued Sept. 10, 1940

Tax & writ (paid)	3.00
George J. Brown, Master	25.00
Pros. for Co. 11-8-40. Pd	8.10
Atty.	3.00

Subpoena in Divorce

And now, Sept. 10, 1940, Subpoena awarded, Returnable to first Monday of November next.

Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: W. G. McCutcheon (Constable) makes affidavit: That he served the within Subpoena in Divorce upon the respondent, Howard Shields, at 1 o'clock P. M., on Sept. 12, 1940, at his residence on Brown Street, Titusville, Pa., by reading and making the contents thereof known to him, and by leaving with him a true and attested copy thereof. (See affidavit on Subpoena)

And now, Nov. 7th, 1940, upon presentation of the within motion George J. Brown, Esq., is appointed Master as prayed for.

Per Curiam.

Nov. 8, 1940. Rec'd $35.00 costs. P. D. S.

Nov. 16, 1940, Paid Geo. J. Brown #25.00 master fee by check No. 790. P. D. S.

Nov. 16, 1940, Testimony and Report of Master filed,
On Arg. List for Nov. Term, 1940, No. 37

Dec. 2, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Howard Shields, is ordered to pay the cost of this proceeding.

Per Curiam.

Decree.

And now, to wit: December 2nd A.D. 1940 this cause came on to be heard on libel subpoena subsequent proceedings and evidence thereto duly taken and filed of record and it appearing to the court that the causes set forth in said libel do prove it is by the court ordered adjudged and decreed, That the said Leona D. Shields be divorced and forever separated from the nuptial ties & bonds of matrimony heretofore contracted between her the libellant and the said Howard Shields the respondent and that thereupon all and every the divers rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine. And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

(51)
Dec. 24, 1940 Paid $1.90 Refund on Adv. costs.
R. B. Mahaney

7

Springs-First National Bank of Cambridge Springs
vs.
Earl L. Gerow and Cecil E. Gerow
Entered Sept. 12, 1940
Pro. Slayton (paid) 2.25
Pffs. on Orig'l 1.75

Of No. 207 September Term, 1935
Amicable Scire Facias Sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same force and effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant for the sum of Seven Hundred Sixty Dollars, being the amount of debt, interest to Nov. 2, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt $760.00
Int. from Nov. 2, 1940
Judgment
Paul D. Slayton, Proth'y.

G. pp. 91 + 92.

September 7, 1944
Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
The Springs First Nat'l Bank of Cambridge Springs
E. E. Sanderson atty for Pltf
Witness: Paul D. Slayton, Pro.

Peters & Prather

8

Petition of Bertha A. Graham on behalf of Ellsworth J. McDonald heirs, for Satisfaction of mortgage given by Jesse J. Smith to Mrs Sarah A. Jones, dated April 22, 1915, and recorded in Mortgage-Book 93, page 274 Entered Sept. 12, 1940

Pro. Clayton (paid) 5.00
Shff. Smith (paid 45.00

Sept. 12, 1940, Petition presented in open court and filed.

And now, to wit, September 12, 1940, after due consideration of the foregoing petition presented in open Court, the Sheriff of Crawford County, is hereby directed to serve a notice, stating the facts set forth in the foregoing petition upon the said Mrs. Sarah A. Jones, or any other holder or holders, of said mortgage, if to be found in said County, and in case the said parties aforesaid cannot be found in said County, then to give public notice as aforesaid, then to give public notice in one newspaper published within the said County, once a week for four weeks successively, requiring the said parties to appear in Court on Monday, October 7, 1940, at 9:30 A.M., or as soon thereafter as the Courts attention may be had, and answer the petition as aforesaid, and in the event no appearance be entered or answer filed thereto by any holder or claimant as required, the Court will decree satisfaction of said mortgage upon the record as prayed.

(See paper filed) Per Curiam.

Same day, Certified copy of petition and order issued to Shff.

Oct. 7, 1940 Sheriffs return and proof of publication, filed.

And now, to wit, October 7, 1940, the Sheriff of Crawford County having returned that Mrs. Sarah A. Jones, mortgagee named in the petition filed in this case, or her legal representatives, or any other holder or holders of said mortgage, could not be found in his Bailiwick, and that in obedience to the order of Court to him directed, public notice of the facts set forth in the petition was published in the Tribune-Republican a newspaper of general circulation in Crawford County, Penna, once a week for four weeks successively, after the presentation of said petition to Court, to-wit, on Sept. 14, 21 and 28th, and Oct. 5, 1940, as appears by proof of publication attached to said return, and no appearance having been entered, or answer filed to said petition by the holder or holders thereof, and the Court being satisfied of the truth of the facts set forth in said petition, it is on motion of Peters & Prather, attorneys for the said petitioner, hereby ordered and decreed that the prayer of said petitioner be granted, and that satisfaction shall be entered by the Recorder of Deeds of Crawford County, Penna, on the record of the mortgage given by Jesse J. Smith to Mrs. Sarah A. Jones

Continued on page 544

F. Joseph Thomas

Thomas & Kiebat for Defendant Meadville Buick Co.
10/7/40 P.D.S.

Robt. M. Dale
Attorney-in-fact for H. P. Chinn
10/9/40 P.D.S. Pro.

And now Oct 31, 1941 received 9.60 costs and docket fee
F. Joseph Thomas

Russell Hills and Farm Bureau Mutual Automobile Insurance Company
vs.
H. P. Chinn and Meadville Brick Company
Issued Sept. 12, 1940

Tax & writ (paid) $ 2.00
Shff. Smith (paid) 4.60
Pro. Slayton 10-31-41 Pd. 4.60
Atty. 3.00

Summons in Trespass
Returnable to first Monday of October next.

Writ returned: Served the within summons personally on H P Chinn at the Meadville Brick Company 878 Park Av City of Meadville, Crawford County, Pa, on Sept 24, 1940, at 2:30 o'clock P M by handing to him a true and attested copy of the within summons and making contents of same known to him.

Also, served the within summons personally on the Meadville Brick Company, the within named defendant, by handing on Sept 24, 1940, at 2:40 o'clock P M, to H.P. Chinn, the person at the above stated time being in charge there of, at No. 878 Park Av., City of Meadville, Crawford County, Pa., by handing to him a true and attested copy of the within summons, and making contents of same known to him. So answers, Harry B Smith, Sheriff

July 29, 1941 Statement of Claim filed. Service accepted.

Aug. 13, 1941, Affidavit of defense of Meadville Buick Company, filed. Service accepted by Plffs. Attorney.

On Fall Trial List, 1941; No. 28.

Oct 7, 1941, Appearance of Robert M. Dale, Esq. for H. P. Chinn, defendant, filed.

"Oct. 13, 1941 Reported as Settled."

And now October 31, 1941 the above case is hereby settled, ended and discontinued.

F. Joseph Thomas
Attorney for Plaintiff

10	Ann Trimble Flesher vs. Harry L. Trimble and Ellen H. Trimble Entered Sept. 13, 1940 Pro. Slayton (paid) $2.25	Of No 228 November Term, 1934, Amicable Scire Facias sur Judgment It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Twenty-five hundred (2500.00) Dollars, being the amount of debt, (and without interest) and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt $2500.00 Without interest. T. pages 58, 58. Judgment Paul D. Slayton, Prothy ✓ April 13, 1945, This judgment satisfied. (See paper filed.)

Stuart A. Culbertson	Home Owners Loan Corporation	Of No. 210 September Term, 1935, D.S.B. Sci. Facias to revive and continue the lien of the above judgment. Returnable to the first Monday of October next. Ca. pages 92 & 94.
11	vs.	Sept. 13, 1940 Plaintiff's statement of claim filed.
	W. C. Carpenter and Florence Stem Carpenter, his wife.	Writ rec. 10/14/40. served the within Sci. fa. to revive Judgment, together with copy of Statement of Claim personally on W. C. Carpenter, on Oct 2. 1940 at 1.55 o'clock P.M. at No. 960 Center street City of Meadville Crawford County, Pa. by handing to him a true and attested copy of the within Sci. fa. to revive Judgment Together with copy of Statement of Claim and making contents of same known to him.
Issued Sept 13, 1940		
Pro. Slayton (10/14/40 Paid) 2.25		
Sheff. Smith (paid) 6.60		
Pro. Slayton (12/14/40 Paid) 2.50		
Atty 3.00		
Orig costs:		
Pro 1.75		
Atty Nagorski 3.00		
19.10		

Also served the within Sci. Fa. to revive Judgment together with copy of Statement of Claim personally on Florence Stem Carpenter, by serving W. C. Carpenter the head of an adult member of the family namely, her husband at No. 960 Center street City of Meadville, Crawford County, Pa. on Oct. 2. 1940 at 1.55 o'clock P.M. by handing to him a true and attested copy of the within Sci. Fa. to revive Judgment, together with copy of Statement of Claim and making contents of same known to him.

So answer. Harry B. Smith.
Sheriff

And now October 17th 1940 on motion of Stewart A. Culbertson attorney for the plaintiff, Judgment is hereby entered in favor of the Home owners Loan Corporation, Plaintiff and against W. C. Carpenter and Florence Stem Carpenter for want of an appearance and an affidavit of defense in the amount of $13050.48 and interest and liquidate paid damages as follows.

Judgment	12942.06
Interest from August 21. 1940 to October 12. 1940 at 0.162	8.42
Atty comm	100.00
Paid D. Slayton	$13080.48
	$13,050.48

Together with all record cost
(See paper filed)

Debt
Interest from Oct. 12, 1940
Judgment
Paul D Slayton, Pro.

Ca. pp. 92 & 94.

Oct. 11, 1945, Sci. Fa. to No. 104 Nov. Term, 1945.

J. A. Boland

12

Borough of Cambridge Springs, Pa.,
vs.
Forest Peters, owner or reputed owner, or whomsoever the owner may be.
Issued Sept. 13, 1940.
$

Tax & writ 12/18/40 Pd. 2.75
Sheff. Smith (paid) 7.30
Plff. on lien 1.50
Pro. for Co. 7-7-44 Pd. 1.00
Atty. 3.00

Of No. 16 November Term, 1935, Mech. Lien Docket
Scire Facias sur Municipal Lien,
filed Sept. 10, 1935, and entered in
Mechanics Lien Docket No. 6 page 517,
with notice to any present occupants
or terre tenants Returnable within
three months from date of issue.
P. page 110

Writ retd: Served the within Scire Facias
personally on Forest Peters, owner or reputed
owner, at his residence in the Borough
of Cambridge Springs, Crawford County,
on Oct. 1, 1940, at 12:15 o'clock P. M. by hand
ing to him a true and attested copy there
and making contents thereof known to him.
Also, served the within Scire Facias on
the Commissioners of the County of Crawford, owners or reputed
owners, by serving Thomas F. Collins, Clerk of said Commissioners
at the Court House City of Meadville, Crawford County, Pa., on
Oct. 4, 1940, at 11:00 o'clock A.M., by handing to him, a true and
attested copy thereof, and making contents of same known
to him. (Corp page 91.) So answers Harry B. Smith, Sheriff
July 7-1944. This case settled and discontinued
J. A. Boland
atty for Plff.

J. Wayne Altenburg 13	Elnora R. Holford vs. Whalin Holford Issued, Sept. 14, 1940 Tax & writ (paid) $ 3.00 Stff. Smith - - Herbert E. Varnum, master 25.00 Pro. for Co. 11-19-40. Pd. 8.10 Atty. 3.00	Subpoena in Divorce And now, Sept. 14, 1940 Subpoena awarded, Returnable to first Monday of November next. Per Curiam, O. Blare Kent, P.J. Subpoena returned: Martin A. Lesko (a police officer) makes affidavit: That on Sept. 16, 1940, he served the within Subpoena upon Whalin Holford, the Respondent, by handing to him at the Titusville Iron Works, Titusville, Pa., a true and attested copy of this Subpoena, and making known to him the contents thereof. (See affidavit on Subpoena) And now, this 19th day of November, 1940, Herbert E. Varnum, Esq., is appointed Master as prayed for. Per Curiam. Nov. 23, 1940 Testimony and Report of Master filed. On Argt. List for Nov. Term, 1940, Dec. 4, 1940, After due consideration a divorce is decreed as prayed for and the respondent, Whalin Holford, is ordered to pay the cost of this proceeding. Per Curiam.
Nov. 19, 1940, Rec'd $33.10 costs. P.D.S. 11/23/40 Rec'd $25 master's fee K.E.V.		

Decree.

And now to Wit; December 4 - A.D. 1940 this cause came on to be heard on libel. subpoena. subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed.

That the said Elnora Holford be divorced and forever seperated from the nuptial ties and bonds of Matrimony heretofore contracted between her the said Elnora Holford the libellant and the said Whalin Holford the respondent, and that there upon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine;

And the said libellant and said respondent shall severally be at liberty to marry again in like manner as if they had never been married

Per Curiam.

Robert F. Kent 14	Waid Funeral Home vs. John I. Kent, Executor of Cora Culver, deceased. Entered Sept. 14, 1940 # Tax Entry (paid) 2.25 Pro. S. 10-29-40. pd. 1.00 Atty. 3.00	Summons in Assumpsit; Returnable to next term. Now, Sept. 14, 1940, John I. Kent, Executor of Cora Culver, deceased, waives issuance of a summons and accepts service of the same with the same force and effect as if the same had been duly served upon him by the Sheriff. (See praecipe) K. fo. 54; Bk. fo. 77.

Oct 29, 1940, this case settled, and discontinued of record.

Robert F. Kent
atty. for Plaintiff

John H Bozic
15
William J. Carney
Kent & Kent
11-8-40. P. D. S.

Cecil M. Root
vs
Marian E. Root
Issued Sept. 16, 1940

Tax & writ 12/10/40 Pd. 3.00
Shff. Smith (paid) 2.90
Shff. of Erie Co (paid) 4.50
Kenneth Rice, Master 25.00
Pro. for Co. 9-20-44 Pd. 10.00
Pro. addl. 9-20-44 Pd. 2.40
Atty. 3.00

Subpoena in Divorce.
And now, September 16, 1940, Subpoena awarded; Returnable to first Monday of November next.
Per Curiam
O. Clare Kent, P. J.

Subpoena returned: Karl F. Johnston, Deputy Sheriff, makes affidavit and return: "That on the 20th day of Sept. 1940, at 2:45 P. M., he served the within named Marian E. Root, by handing to her personally, at her place of residence, R. F. D. #4, Erie, Penna, a true and attested copy of the attached Subpoena in Divorce, together with a copy of the Libel, and made the contents thereof known to her, and that the person so served was known to be the respondent in said writ by her own admission."

Served the within Subpoena in Divorce on Marian E. Root, respondent, by deputizing the Sheriff of Erie County, Pa., as per his return hereto attached.
So answers Harry B. Smith, Sheriff.

And now, Nov 18, 1940, upon presentation of petition of respondent, a rule is granted upon libellant to show cause why alimony pendent lite and counsel fees payable to respondent should not be allowed; returnable sec. reg.
(See paper filed) Per Curiam

Same day, Service accepted by Atty for Libellant.

Sept. 20, 1944, Motion to discharge rule filed;

Order: And now, Sept. 20, 1944, the rule granted Nov. 18, 1940, for counsel fees and alimony is discharged,
Per Curiam,

And now, September 20, 1944, Kenneth Rice, Esq., is hereby appointed Master in the above entitled case to take testimony and make report thereon to the Court. Per Curiam,

Sept. 23, 1944, Affidavit of non-military service of respondent filed.

Sept. 23, 1944, Testimony and Report of Master filed.

On Argt. List for Sept. Term, 1944; No. 63.

October 5th, 1944. After due consideration a divorce is decreed as prayed for. Per Curiam, O. Clare Kent P. J.

Decree:- And now, to-wit: October 5, A. D. 1944, this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed, That the said Cecil M. Root, be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between him the said Cecil M. Root, the libellant, and the said Marian E. Root, the respondent;

— Continued on Margin —

1-20-44, Reid # 35.00 costs.
P. D. S.
1-23-44- Received
25.00 Masters Fee.
K. W. Rice Masters

nd that thereupon
l and every the
ties, rights and
ims accruing to
ther the said libellant
the said respondent,
any time heretofore
pursuance of said
arriage, shall cease
d determine; And
said libellant and
spondent shall
erally be at liberty
marry again in
e manner as if
y had never been
arried.
Per Curiam.

16.	In re Condemnation of land of S. R. McClurg and Mrs. S. R. McClurg in North Shenango Township for Improvement of State Highway Route 20007-2 through their land. Entered Sept. 16, 1940 Pro. Slayton $3.00	Agreement and release of Owners dated Sept. 6, 1940, releasing the Commonwealth, and all political sub-divisions thereof from claim for damages through or by reason of the improvement of said road, etc. Filed Sept. 16, 1940.
17	Pennsylvania Rural Rehabilitation Corp., to the use of the United States vs. Kenneth R. McGahen Mrs. Mabel I. McGahen Entered Sept. 18, 1940 Pro. Slayton 10/16/40. Pd. 2.50 Pfl. on Orgl 3.50	Of No. 218 September Term, 1935, and No. 248 November Term, 1935, D. & B. Agreement for Revival of Judgments. The defendants in the above stated judgments agree to revive the same amicably, in the sum of Three hundred twenty-five and no/100 Dollars and costs; with the same effect in all respects, as if writs of Scire Facias, according to the acts of Assembly, had been issued and served on the undersigned defendants, and judgment had been entered thereon in open Court. Debt $325.00 Int. from Mc pages 36+66 Judgment Paul D. Slayton, Pro.

18	Martha S. Baird vs. W. S. Shearer Entered Sept. 19, 1940 # Pro. Slayton (paid) 2.25	Of No. 216 September Term, 1935 Amicable Scire Facias sur Judgment It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county and duly returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of One Thousand Dollars, being the amount of debt, interest to Sept. 16, 1936, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Debt #1000.00 Int. from Sept. 16, 1936 Sh. page 107 Judgment Paul D. Slayton, Pro.

✓ April 29, 1942, This judgment assigned to M. K. Baird, 14 Louisa Ave., Greenville, Pa. (See paper filed.)

J. Berry Eckels
19

Ruth Myrtle Frederick
vs.
Clyde George Frederick
Issued Sept. 19, 1940

Tax & writ 12/31/40. pd. 3.00
Shff. Smith (paid) 5.70
Shff. Mercer Co. (paid) 5.00
A. D. Andrews, Master 35.00
Pro. for Co. 1-14-41. Pd. 8.10
Atty. 3.00
Pro. S. 6-11-41. Pd. 1.25

Subpoena in Divorce

And now, Sept. 19, 1940, the within petition presented in open Court and Subpoena awarded, returnable to the first Monday of November, 1940.

Per Curiam
O. Clare Kent, P.J.

Subpoena rcvd. (a) Served the within Subpoena in Divorce on Clyde George Frederick, respondent, by deputizing the Sheriff of Mercer Co. Pa., as per his return hereto attached.

So answers Harry B. Smith Shff.

(b) Oct. 23, 1940, Served the within Subpoena in Divorce on Clyde George Frederick, respondent by handing a true and attested copy to him personally, on Broad Street, Grove City, Mercer County, Pa., at 11:15 A.M., first making known to him the contents thereof. So answers

Alex Elliott, Shff. Mercer Co. Pa.

And now, Jan. 13, 1941, A. D. Andrews, Esq., is appointed Master to take testimony in the above entitled case and make report thereon to the Court.

Per Curiam.

Jan. 13, 1941, Rcvd. $35.00 costs. P. D. S.

Jan. 29, 1941. Rcvd of Prothonotary $25.00 Master's fee
A Dickson Andrews

June 12, 1941 Rcvd 65¢ refund in cost
J. Berry Eckels

Jany. 29, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 41,

March 14, 1941, After due consideration a divorce is refused and the libel dismissed without prejudice. Per Curiam.

And now, March 22, 1940, On motion of Attorney for Libellant, the above case is referred back to Dickson Andrews, Esq., Master, to take further testimony. Per Curiam (See paper filed)

May 3, 1941, Testimony of Libellant, and supplemental report of Master thereon, filed.

On Argt. List for May Term, 1941; No. 34.

June 2, 1941 After due consideration a divorce is decreed as prayed for the respondent is ordered to pay the cost of this proceeding and the custody of minor child, Marylyn Ruth Frederick, is awarded to libellant, Ruth Myrtle Frederick.

Per Curiam,
O. Clare Kent, P.J.

Decree.

And now to wit; June 2-A.D. 1941 this cause came on to be heard on libel, proofs, supplemental proceedings and evidence then in duly taken and filed of record and appearing to the Court that the cause set forth in said libel do true and correct it is by the Court ordered adjudged and decreed that the said Ruth Myrtle Frederick be divorced and forever separated from the marriage tie and bonds of matrimony heretofore contracted between the said Ruth Myrtle Frederick the respondent and the said Clyde George Frederick the respondent.

Cont on margin

and that from and after the date of this decree the said libellant or the said respondent at any time hereafter may marry again as if they had never been married and it is further ordered and decreed that the custody of minor child Maryland Ruth Frederick is awarded to libellant Ruth Myrtle Frederick

Per Curiam

F. C. Kiebort, Jr.

20

Thomas & Kiebort

Nathan E. Dodd, Administrator of the estate of Ava L. Dodd, late of Columbus Township, Warren County Penna, deceased,

vs,

Robert E. Woodruff and John A. Hadden, Trustees of the Erie Railroad Company

Entered Sept. 19, 1940

	$
Jark & entry (10/4/40 pd)	2.00
Pro. Slayton (10/7/40 pd)	4.00
Atty	3.00

Summons in Trespass
Returnable to first Monday of October, 1940.

Now, Sept. 19, 1940, Thomas & Kiebort Esqrs. appear for the defendants, waive the issuance of a summons and the service thereof by the Sheriff with the same force and effect as though the summons had been duly and regularly issued by the Prothonotary and the writ duly and regularly served by the Sheriff of Crawford County upon the defendant. (See praecipe)

Sept. 30, 1940, Petition for plaintiff for leave to settle and compromise claim, filed.

Now, Sept. 30, 1940, upon presentation and consideration of the above and foregoing petition the Court finds that Nathan E. Dodd, surviving spouse of Ava L. Dodd, deed, is the only person entitled to share in the damages for the recovery of which the above stated action has been instituted, and it is therefore ordered and decreed, that the said Nathan E. Dodd, Administrator of the estate of Ava L. Dodd, be and he is hereby authorized to compromise and settle for the sum of $250.00, the claim for damages resulting from the death of Ava L. Dodd, at the time and in the manner set forth in said petition, and on payment of the said amount by the defendants to the plaintiffs, he is ordered and directed to mark the said action discontinued of record.

Per Curiam,
O. Blare Kent, P.J.

(See petition filed)

Now Sept. 30, 1940 the above action is discontinued of record.

F. C. Kiebort Jr.
Atty. for Plaintiff

Received $3.00 docket fee
Sept. 30, 1940
F. C. Kiebort, Jr.
Atty. for Plaintiff

Attest, Oct. 2, 1940
Paul D. Slayton, Pro

Kent & Kent
21

George L. Berley
R. #2, Grays Hills, Pa.
vs.
Edward A. Berley
Entered Sept. 20, 1940

	$
Pro Slayton (Dft. pd)	2.25
Atty	3.00
Atty Kent & Mook on original	3.00

3/12/42 Def'd waive praecipe & $3.50 docket fee.
John D. Kent

Of No 236 Sept Term 1935 D.S.B.
Amicable Scire Facias sur Judgment

It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect, as a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant for the sum of Seventeen hundred and eighty-five Dollars, being the amount of debt, interest to —— and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note. Dated Sept. 20, 1940

Debt $1785.00
Int. from
Judgment

Be page 70.

Paul D. Slayton, Pro.

✓

Mar. 13", 1942, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

George L. Berley.

Witness: Paul D. Slayton

Thomas & Kiebort 22	First National Bank of Meadville, Pa., vs. Josephine Gandelot, Edna Gandelot, now Edna Glanis and George D. Davenport, defendants, and James T. Shay, Katherine Shay, Prescott W. Brown and Janet Brown, Garnishees Issued Sept. 20, 1940 Tax writ (Paid 2.75 Shff. Smith (Paid) 7.80 Pro. fos disc. 12/18/40. Pd. 1.00	Of No. 361 February Term, 1938. Attachment Execution, Returnable the first Monday of October, 1940. Writ returned: Served on Defts (except Dft. Davenport) Oct. 1, 1940, and on Garnishees (except Prescott W. and Janet Brown) on Oct. 1, 1940 For return at length see writ returned Mar. 25, 1941.

ec. 18, 1940, the
ction is hereby discontinued
of record.
Thomas Kiebort
Attys for Plff.

Gerald D. Prather
23

Harry Umstead
vs.
Dorothy Umstead
Issued Sept. 23, 1940

Tax & writ (paid) 3.00
Shff Smith (paid) 1.60
Shff. Smith, alias 1.60
Shff Smith, proc. Pd. 1.15
Fred C. Kiebort, Jr. Master 25.00
Pro. for Co. 7-19-41. Pd. 10.00
Atty. 3.00

7-19-41. Rec'd $35.00 costs.
P. D. S.

Now, Aug. 12, 1941 the $25.00 Master's fee is hereby waived.
F. C. Kiebort Jr.
Master

Aug 15 1941 - Received from Paul Slayton Pro $26.75 - master's fee & costs
G D Prather,
atty for Libellant

Subpoena in Divorce
And now, September 23, 1940, Subpoena awarded; Returnable to the first Monday of November, 1940.
Per Curiam,
O Blare Kent, PJ

Subpoena returned: And now, Nov. 4, 1940, Non est inventus as to the within named respondent.
So answers Harry B Smith, Shff

Nov. 26, 1940, Alias Subpoena in Divorce issued, returnable to the first Monday of January, 1941.

Alias Subpoena retd. Jan. 6, 1941, Non est inventus as to within named respondent
So answers Harry B Smith, Sheriff

Jan. 7, 1941, Order for Proclamation in Divorce issued, returnable to next term.

---I have made proclamation in the above entitled case according to law, and caused the same to be published in the Linesville Herald, Linesville, Pa., a newspaper printed within my bailiwick once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication attached.
So answers,
Harry B. Smith, Sheriff.

And now, July 19, 1941, upon presentation of the within motion Fred C. Kiebort, Jr., Esquire is hereby appointed Master as prayed for.
Per Curiam.

And now Aug. 6 1941 the above divorce case is hereby discontinued
Gerald D Prather
atty for Libellant

Leland J Culbertson 24 10-4-1940 Dickson Crider Attest: P.D.S.	In the Matter of the Appeal of Leland J Culbertson and Miriam S. Culbertson from assessment of the Board of Tax Revision and Appeals of the City of Meadville for the year 1940 Entered Sept 23, 1940 Pro. Slayton 12/30/40 ad. $3.00	Sept. 23, 1940 Appeal presented in open court and filed. And now, Sept. 23, 1940, the within appeal is allowed, and hearing on same is set for December 2, 1940, at 9:30 o'clock A. M. Notice to be given to the Mayor of the City of Meadville, Penna, according to law. Per Curiam.

Walter J. McClintock

25

Petition of Commissioners of Crawford County for approval of private sale to W. A. Steadman of 98 acres of land in Sparta Tp. which was assessed in name of Smith Eastman, and sold to said Comrs. at Treasurers sale for taxes on 1st Monday of Aug. 1934 Entered Sept. 23, 1940

Pro. Clayton $5.00

Now, September 23, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of October, at 9:30 A.M. or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford and notice of said petition and order to be given to the School District of Sparta Township and the Supervisors of the Township of Sparta, being the taxing authorities, said notice to be served on them personally or by registered mail. (See petition) Per Curiam.

Oct. 7, 1940, Proof of publication of notice, and acceptance of service of notice by the School District and the Supervisors of Sparta Township, filed.

Final Order: And now, October 7, 1940, at 9:30 o'clock A. M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, W. A. Steadman, of Spartansburg R. D., Penna., a Commissioners' deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

Per Curiam,
O. Clare Kent,
President Judge.

"(See paper filed).

NOVEMBER TERM, 1940

Kenneth W. Rice 26 Paul E. Thomas Sept. 26, 1940 - Having received payment of $120.00 from the Defendant this action is hereby settled & I direct the Prothonotary to mark the same Discontinued & record. Kenneth W. Rice Attorney for Plaintiffs Sept 26, 1940 Received $3.00 ticket fee K.W. Rice Atty. for Plaintiffs	Lois S. Poe, a minor, by her Guardian, Pauline Poe Domke, and Pauline Poe Domke vs F. E. Shellito and the Bloomfield Township School Board Entered Sept. 23, 1940 Jay Entry 9-26-40 Pd. 2.00 Pro. S. since 9-26-40. Pd. 4.00 Atty. 3.00	Summons in Trespass, Returnable to next term. And now, Sept. 21, 1940, Paul E. Thomas Esq., appears for defendant and waives the issuance of summons, with the same force and effect as if the same had been duly and regularly served by the Sheriff of Crawford County, Penna. (See praecipe) Sept. 23, 1940, Petition of Pauline Poe Domke to settle and compromise claim, filed. And now, Sept. 23, 1940, upon presentation of the foregoing, leave is hereby granted to settle and compromise the above action upon payment into the said Pauline Poe Domke, mother of the said Lois S. Poe, of the sum of One hundred and twenty ($120.00) Dollars, and upon payment thereof, said action shall be marked "Settled" and discontinued of record. (See paper filed.) Per Curiam.
Kenneth W. Rice 27 Paul E. Thomas Sept. 26, 1940 - Having received payment of $48.00 from the Defendant this action is hereby settled and I hereby direct the Prothonotary to discontinue the same & record. Kenneth W. Rice Attorney for Plaintiffs Sept 26, 1940 - Received $3.00 ticket fee K. W. Rice Atty. for Plaintiffs.	Ronald Solt, a minor by his guardian Martha Solt, and Martha Solt in her own right, vs. F. H. Hopson Entered Sept 23, 1940 Jay Entry 9-26-40. Pd. 2.00 Pro. S. since 9-26-40. Pd. 4.00 Atty. 3.00	Summons in Trespass, Returnable to next term. And now, Sept. 21, 1940, Paul E. Thomas, Esq., appears for defendant, and waives the issuance of summons, with same force and effect as if the same had been duly and regularly served by the Sheriff of Crawford County, Penna. (See praecipes) Sept. 23, 1940, Petition of Martha Solt to settle and compromise claim, filed. And now, Sept. 23, 1940, upon presentation of the foregoing, leave is hereby granted to settle and compromise the above action upon payment into the said Martha Solt of the sum of Forty-eight ($48.00) Dollars, mother of the said Ronald Solt, and upon payment thereof, said action shall be marked "Settled" and discontinued of record. (See paper filed) Per Curiam.

Stuart A. Culbertson
28

Mabel S. Wood
vs.
Ray M. Wood
Issued Sept. 24, 1940

Taxt writ (paid) $ 3.00
Shff. Smith (Pd.) 6.70
Otto Stolz, Master 25.00
Pro. for Co. 11-11-40. Pd. 8.10
Atty. 3.00
Stenographer Pd. 1.90

Subpoena in Divorce

And now September 23, 1940, the within petition presented in open Court and Subpoena awarded, returnable to the first Monday of November next.

Per Curiam,
O. Clare Kent, P.J.

Nov. 9, 1940 Subpoena retd., Served the within Subpoena in Divorce on the Respondent, personally on the 2nd day of Oct. 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof as appears from affidavit. So answers,

Harry B. Smith, Sheriff.

Nov. 7, 1940 Rec'd $35.00 costs. (transferred) P.D.S.

Nov. 22, 1940. Received $90 stenographic fees as above. Refunded.

Nov. 22-1940. Received masters fee $25. Otto Stolz

And now, November 7, 1940, Otto Stolz, Esq., is hereby appointed Master to take testimony in the above entitled case and make report to the court.

Per Curiam.

Nov. 22, 1940, Testimony and report of Master filed.

On Arg. List for Nov. Term, 1940, No. 45

Dec. 3, 1940, After due consideration a divorce is decreed as prayed for, and the respondent, Ray M. Wood, is ordered to pay the costs of this proceeding.

Per Curiam.

-Decree-

And now to wit, Dec 3 A.D. 1940 this cause came on to be heard on libel subpoena, subsequent proceedings and evidence therein duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true it is by the court ordered adjudged and decreed.

That the said Mabel S. Wood be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Mabel S. Wood, the libellant and the said Ray M. Wood, the respondent and that thereupon all and every, the duties, rights and claims accruing to either, said libellant or the said respondent, at any time heretofore in pursuance of said marriage shall cease and determine;

And the said libellant and respondent shall be at liberty to marry again in like manner as if they had never been married

Per Curiam.

NOVEMBER TERM, 1940

Stuart A. Culbertson
29

Nov. 7, 1940. Recd. $35.00 costs
O.D.S.

Nov. 21, 1940 rec'd
master's fee $25.00
from Pro. Sec'y
Raymond C. Miller
Master

Dec 19, 1940 rec'd of
Pro Sec'y
$1.90 Refund on
costs in above
case
Harry B. Smith
Sheriff

Geraldine Elizabeth Corey
vs.
Clifford H. Corey
Issued Sept. 24, 1940

	$
Tax & writ (paid)	3.00
Sheff. Smith (Pd.)	5.70
Raymond C. Miller, Master	25.00
Pro. for Co. 11-11-40, Pd.	8.10
Atty.	3.00

Subpoena in Divorce.

And now, September 23, 1940, the within petition presented in open Court and Subpoena awarded, returnable to the first Monday of November, 1940

Per Curiam
C. Clare Kent, P.J.

Nov. 9, 1940, Subpoena retd.; Served the within Subpoena in Divorce on the Respondent, personally, on the 3rd day of Oct., 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appeard from affidavit.

So answers,

Harry B. Smith, Sheriff.

And now, November 7, 1940, Raymond C. Miller, Esq., is hereby appointed Master to take testimony in the above entitled case and make report to the court.

Per Curiam.

Nov. 21, 1940, Testimony and Report of Master filed.

On Argt. List for Nov. Term, 1940, No. 38

Dec. 3, 1940, After due consideration a divorce is decreed as prayed for and the respondent, Clifford H. Corey, is ordered to pay the cost of this proceeding.

Per Curiam.

Decree.

And now to wit December 3 A.D. 1940 this cause came on to be heard on libel suppoena. subsequent proceeding and evidence there in duly taken and filed of record and it appearing to the court that the cause set forth in said libel are true it is by the court ordered adjudged and decreed: That the said Geraldine Elizabeth Corey be divorced and for ever seperated from the nuptial ties and bonds of matrimony heretofore contracted between the said Geraldine Elizabeth Corey, the libelant and the said Clifford H. Corey, the respondent: and that therefrom all and every the duties, rites, and claims accruing to either the said libellant or the said respondent, at any time hereafter in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married

per Curiam.

Kent & Kent
30

Theo. L. Tanner
vs.
Helen Hyde Thomas and Mrs. J. E. Hyde, now Mrs. Frank Young
Issued Sept. 25, 1940

Pro. Slayton (paid)	$2.25
Shff. Smith Pd.	7.90
Shff. Venango Co. Pd.	3.70
Pro. for Co. 12/19/40. Pd.	2.50
Atty.	3.00

Of No. 245 September Term, 1935 D.S.
Scire Facias to Revive and continue the Lien of the above Judgment; Returnable to next term
J. p. 61; Ho. p. 37; Y. p. 29.

Nov. 13, 1940, Writ retd.; I. O. Bell, Sheriff of Venango County, Pa., makes affidavit stating that he served the within Sci. Fa. to Revive Judgment, on the within named defendant, Mrs. J. E. Hyde alias Iona Hyde, now Mrs. Frank (George) Young on the 4th day of October, 1940 at 10:00 A.M., at her residence in Sugarcreek Township, Venango County, Penna., by handing to her personally a true and attested copy of the within writ, and reading and making known to her the contents thereof; So ans. I. O. Bell, Shff. Venango Co

Served the within Sci. Fa. to Revive Judgment personally, on Helen Hyde Thomas, at her residence in the Boro' of Centerville Crawford County, Pa., on Oct. 3, 1940 at 4:50 o'clock P.M., by handing to her a true and attested copy of the within Sci. Fa. to Revive Judgment and making contents of same known to her, Also served the within Sci. Fa. to Revive Judgment, on Mrs. J. E. Hyde, now Mrs. Frank Young, by deputizing the Sheriff of Venango County, Pa., as per his return hereto attached.

So answers,
Harry B. Smith, Sheriff.

And now, Nov. 13, 1940, on motion of plaintiff's attorneys, judgment is entered against the above defendants and in favor of the plaintiff for want of an appearance and affidavit of defense and liquidated at the sum of three hundred fifty-two & 27/100 dollars.

Debt	$352.27
Attys. comm. included	16.98
Int. from Nov. 12, 1940.	
Judgment	

Paul D. Slayton, Pro.

J. p. 61; Ho. p. 99; Y. p. 29.

Fi. Fa. No. 3 Feby. Term, 1941.

October 26, 1945, This Judgment is Satisfied (See Alias Fi. Fa. filed)

Kent & Kent
31

Blanche Kemper Dec. Arment
vs
Edward A. Berly
Entered Sept. 25, 1940

	#
Pro. Slayton (paid)	2.25
Atty	3.00
Kent & Mook attys, orig	3.00

Of No. 237 Sept. Term, 1935, D.S.B.
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias on the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Seventeen hundred and eighty-five Dollars, being the amount of debt and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt # 1785.00
Interest from
Judgment
Paul D. Slayton, Prothy

Be page 70

March 2, 1944, Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.
Kent & Kent
by John D. Kent

Witness: Paul D. Slayton

Kent & Kent
32

Laura Laibe
vs
Edward A. Berly
Entered Sept. 25, 1940

	#
Pro. Slayton (paid)	2.25
Atty	3.00
Attys Kent & Mook, orginal	3.00

Of No. 238 Sept. Term, 1935, D.S.B.
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias on the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the deft. by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Seventeen hundred eighty-five Dollars, being the amount of debt and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt # 1785.00
Int. from
Judgment
Paul D. Slayton, Pro.

Be page 146

May 19th, 1944, Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Kent & Kent
by John D. Kent

Witness: Paul D. Slayton

J. Berry Eckels	Massachusetts Bonding and Insurance Company, a corporation	Summons in Assumpsit Returnable to first Monday of October, 1940.
33	vs.	Sept. 25, 1940, Statement of claim filed, Copy certified.
	W. L. Dunn	Writ returned: Served the within Summons, together with copy of Statement of claim personally on W. L. Dunn, by serving Dris Dunn, she being an adult member of the family, namely his wife, at his office in the Borough of Cochranton, on Oct. 1, 1940, at 2:10 o'clock P. M., by handing to her a true and attested copy thereof and making contents of same known to her. So answers, Harry B. Smith, Sheriff
	Issued Sept. 25, 1940	
	Tax writ (paid) $2.00	
	Shff. Smith (paid) 5.90	
	Pro. for Co. 8-4-41. Pd. 1.25	
	Atty. 3.00	

And now, Aug 4 1941, this case settled and discontinued of record.

J. Berry Eckels
Attorney for Plaintiff.

J. Perry Eckels

34

(no top)

Department of Public Assistance of the Commonwealth of Pennsylvania
vs
Samuel Thompson
Issued Sept. 25, 1940

Tax 50 ¢ 1.50 12/4/40 Pd. 2.00
Stff. Smith Jain 9 ½ 50
handing to him a true and attested copy of the within Summons, together with copy of Statement of Claim and making contents of same known to him. 50
Pro. Slayton 12/4/40 Pd. 2.50
Atty 3.00

Summons in Assumpsit
Returnable to first Monday of Oct. next
Sept. 25, 1940, Statement of Claim filed, Copy certified.
Writ returned served the with in summons together with copy of statement of claim personally on Samuel T. Thompson at his residence 1no 506 N. Monroe street City of Titusville, Crawford County, Pa. on Oct. 2, 1940, at 4:10 o'clock P.M. by Answer: Harry B. Smith Sheriff.

And now, November 14, 1940, On motion of plaintiffs attorney, judgment is entered in favor of plaintiff and against defendant, for want of an appearance and affidavit of defense, and same liquidated at the sum of Nine Hundred eight Dollars ($908.00), with costs of suit. (See paper filed)

Debt $908.00
Interest from Nov. 14, 1940
Judgment
Paul D. Slayton, Pro.

T. page 40.

June 12, 1947, Aff. Sci. Fa. to No. 57 Sept. Term, 1947, signed by Robert R. Thompson, heir,

J. Perry Eckels

35

Department of Public Assistance of the Commonwealth of Pennsylvania,
vs.
Ione Hyde, now Ione Young,
Issued Sept. 25, 1940

	#
Writ 11-14-40. Pd.	1.50
State tax	.50
Sheff. Smith (#3.70 pd)	1.60
Pro. Slayton 8/20/42. Pd.	2.75
Atty	3.00
	19.35

Summons in Assumpsit
Returnable to first Monday of October next.

Sept. 25, 1940, Statement of claim filed, copy certified.

Writ returned: Served the within summons together with copy of Statement of Claim, on Ione Hyd, now Ione Young, by deputizing the Sheriff of Venango County, Pa, as per his return hereto attached.

So answers Harry B. Smith, Shff.

I. O. Bell, Sheriff of Venango County makes affidavit and return: That he served the within summons on the within named defendant, Ione Hyde, now Ione Young, on the 4th day of October, 1940, at 10 A.M., at her residence in Sugarcreek Venango County, Penna, by handing to her personally a true and attested copy of the within summons and reading and making known to her the contents thereof; together with a true and certified copy of plaintiffs statement of claim. So answers

I. O. Bell, Sheriff.

And now, Nov. 7, 1940, upon praecipe of plaintiffs attorney, judgment is entered in favor of the plaintiff and against the defendant, for want of an appearance and affidavit of defens and liquidated at the sum of Five Hundred Forty-eight and 30/100 Dollars, with costs of suit (See paper filed)

Debt #548.30
Interest from Nov. 7, 1940

Ky. page 99; V. page 29 Judgment
Paul D. Slayton, Pro.

Nov. 7, 1945, Sci. Fa. to No. 163 Nov. Term, 1945.

J. E. Jack
36

Nov. 14, 1940. Recd. $35.00 costs.
P. B. S.

Nov. 22, 1940 Paid C. N. Benedict master fee by check No. 801,
P. B. S.

Jan 6, 1941 - Recd. & Paid D. Clayton, Pro. the sum $1.90 being refund of excess costs advanced in this case
J. E. Jack, Atty.

Grace Dean Peebles
vs.
Theodore B. Peebles
Issued Sept. 26, 1940

Tax & writ (paid) $ 3.00
Shff Smith --
J. M. Prather on sub. (Pd) 1.90
Chas. N. Benedict, Master 25.00
Pro. for C. 11-14-40, Pd. 8.10
Atty. 3.00

Subpoena in Divorce

And now, September 26, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to the first Monday of November, 1940.

Per Curiam,
O. Clare Kent, P.J.

Subpoena retd: John M. Prather, Constable, makes affidavit: That he personally served the within Subpoena in Divorce upon Theodore B. Peebles, the within named respondent by handing to him in the City of Titusville, Pa., on Oct. 22, 1940, a true and attested copy thereof, and making known to him the contents of the same. (See Subpoena)

And now, November 14, 1940, Chas. N. Benedict, Esq., is hereby appointed Master in the within case. Per Curiam.

Nov. 22, 1940, Testimony and Report of Master filed.

On Arg'r. List for Nov. Term, 1940, No 47.

Dec. 3, 1940, After due consideration a divorce is decreed as prayed for and the respondent, Theodore B. Peebles, is ordered to pay the cost of this proceeding. Per Curiam.

Decree -

And Now to wit, December 3 - A.D. 1940 this cause came on to be heard on libel subpoena, subsequent proceedings and evidence thereon duly taken and filed of record and it appearing to the Court that the causes set forth are true it is by the court ordered adjudged and decreed.

That the said Grace Dean Peebles be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Grace Dean Peebles the libellant and the said Theodore B. Peebles the respondent; and that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time hereafter in pursuance of said marriage shall cease and determine.

And the said libellant and respondent shall be at liberty to marry again in like manner as if they had never been married

Per Curiam.

J. E. Jack
37

Bertha K. Young
vs.
Chester L. Young
Issued Sept. 26, 1940

Tax & writ (paid)	$ 3.00
Shff. Smith (paid)	1.60
Shff. Smith, alias (paid)	1.60
Shff. Smith, Proc. Pd.	11.15
Benj. F. Kraffert, Master	25.00
Pro. for Co. 2-11-41. Pd.	10.00
Atty	3.00

Subpoena in Divorce
And now, September 26, 1940, the within petition presented in open Court, and Subpoena awarded returnable to the first Monday of November, 1940
Per Curiam,
O. Clare Kent, P.J.

Subpoena retd. Nov. 4, 1940. Non est inventus as to the within named respondent.
So answers Harry B. Smith, Sheriff.

Nov. 4, 1940, Alias Subpoena in Divorce issued, returnable to first Monday of January next.

Alias Subpoena retd. Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff.

Jan. 6, 1941 Order for Proclamation in Divorce issued, returnable to next term.

Feby. 10, 1941, ---- I have made proclamation in the above entitled case according to law, and caused the same to be published in the Linesville Herald, Linesville, Pa., a newspaper printed within my bailiwick once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached.
So answers,
Harry B. Smith, Sheriff.

Feby. 11, 1941, Recd. $35.00 costs
P. D. S.

Feb. 21, 1941 - Recd $25.00
Master's Fees, check #851.
Benj. F. Kraffert
by J. E. Jack

And now, February 11th, 1941 Benj. F. Kraffert Esq. is hereby appointed Master in the within case. Per Curiam.

Feby. 21, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 46.

March 12, 1941, After due consideration a divorce is decreed as prayed for and the respondent, Chester L. Young, is ordered to pay the costs of this proceeding. Per Curiam.

—Decree—

And now to-wit March 12 A.D. 1941 this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence thereon duly taken and filed & record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed. That the said Bertha K. Young be divorced and for ever separated from the bonds ties and rights of matrimony heretofore contracted between her the said Bertha K. Young the libellant and the said Chester L. Young the respondent and that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage, shall cease and determine and said libellant and respondent shall severally be at liberty to marry again in the manner as if they had never been married.
Per Curiam

James E. Jack

38

Petition of Waeslaw Staskevich (also spelled Staskiewicz) for Change of his name to Walter Arthur Stacy.
Entered Sept. 26, 1940

Pro. Slayton 12/2/40. Ad. $5.50
Uniontown Herald, advt. 11.50
Connellsville Herald, advt. 11.50

Sept. 23, 1940, Petition presented in open Court and filed.

And now to wit, September 23, 1940, upon motion of J. E. Jack, Esq., Attorney for the petitioner above named, it is ordered and decreed that the within petition be heard on the 2d day of December, 1940, at 9:30 o'clock A. M., and that notice of the filing of the within petition and of the aforesaid date of hearing be published in the Uniontown Herald and the Connellsville Herald, once a week four successive weeks.

Per Curiam,
O. Blare Kent, P. J.

(See petition filed)

Dec. 2, 1940, Proofs of publication of notice, and certs of no liens by Prothy and of no mortgages by Recorder, filed.

Final Decree:- And now to wit December 2, 1940, upon hearing the petition of Waeslaw Staskevich (also spelled Staskiewicz), at No. 38 November, 1940, upon which a preliminary order providing for publication of notice and fixing date of hearing was issued by this Court under date of September 23, 1940, and upon motion of J. E. Jack, Esq., Attorney for petitioner, and upon presentation of proof of publication of notice as required by law, together with proof that there no judgments or decrees of record or any other matter of the like effect against the petitioner, and it appearing that there is no legal objection to the granting of the prayer of the petition - it is Ordered and Decreed that the name of the petitioner be and is hereby changed to Walter Arthur Stacy.

Per Curiam,
O. Blare Kent,
President Judge,

(See paper filed)
Copy of decree issued.

J. A. Bolard

39

Now for use of Trustees of Trusteed Assets of Springs-First National Bank of Cambridge Springs, Pa.,
-vs-
Mabel Drake (and Allen Drake)
Entered Sept 28, 1940 #
Pro. Slayton (paid) 2.25
Atty 3.00
Pff on original 1.75

Of No. 208 Sept. Term, 1935 D.S.B.
Amicable Scire Facias sur Judgment
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned and that a judgment be entered thereon in favor of the plaintiff and against the defendant Mabel Drake, for the sum of Eight hundred twenty-eight and 95/100 Dollars, being the amount of debt interest to January 25, 19[illegible] and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Debt # 828.95
Interest from Jan. 25, 1939

D. page 102.

Judgment.
Paul D. Slayton, Prothy

F. Joseph Thomas
40

Katherine A. Ginter
vs.
Leo T. Ginter
Issued Sept. 30, 1940

Tax & writ 12/26/40. Pd. $ 3.00
Shff. Smith (paid) 3.20
Otto A. Stolz, Master 25.00
Pro. for Co. 2-3-41. Pd. 8.10
Atty. 3.00

Feby. 3, 1941, Rec'd $33.10 Cost.
P. D. S.
Feby 18, 1941 Rec'd $25.00
Otto A. Stolz Master

Subpoena in Divorce

And now, September 30, 1940, Subpoena awarded, Returnable to the first Monday of November, 1940.

Per Curiam,
O. Clare Kent, P. J.

Subpoena returned: Served the within Subpoena in Divorce on the respondent personally, on the 3d day of Oct 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers

Harry B. Smith, Sheriff.

And now, February 3rd, 1941, Otto A. Stolz, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court. Per Curiam.

Feby. 19, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 27.

March 4, 1941, After due consideration a divorce is decreed as prayed for and the respondent, Leo T. Ginter, is ordered to pay the cost of this proceeding.

Per Curiam.

Decree.

And, now-to-wit; March 4. A.D. 1941. this case came on to be heard on libel subpoena, subsequent proceeding, and evidence there in. duly taken and filed of record, and it appearing to the court that the causes set forth in said libel are true, it is by the Court ordered, adjudged and decreed. That the said Katherine A. Ginter be divorced and forever seperated from the nuptial ties and bonds of Matrimony heretofore contracted between her the said Katherine A Ginter the libellant, and the said Leo. T. Ginter the respondent: and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time here to fore in pursuance of said Marriage, shall cease & determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been Married.

Per Curiam

Paul E Thomas
41

Nov. 4, 1940. Rec'd $33.10 costs.
P. D. S.

Nov 15, 1940 Rec'd from Chas Slaughter $25.00 master fee
Walter J McClintock master

Mary Elizabeth Jackson
vs.
Howard D. Jackson
Issued Sept. 30, 1940

Tax & writ 10-4-40	$3.00
Skiff Smith (paid)	3.20
Walter J. McClintock Master	25.00
Pro. for Co. 11-4-40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, Sept. 30, 1940, Subpoena awarded, returnable to first Monday of November next.

Per Curiam,
Oblare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the respondent personally on the 2d day of Oct. 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.

So answers Harry B Smith, Sheriff

And now, Nov. 4th, 1940, Walter J. McClintock, Esq., is hereby appointed master as prayed for. Per Curiam.

Nov. 15, 1940, Testimony and Report of Master filed.

On Arg't. List for Nov. Term, 1940, No. 39

Dec. 3, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Howard D. Jackson, is ordered to pay the cost of this proceeding. Per Curiam.

—Decree—

And now, to wit; December 3. A.D. 1940. this cause came on to be heard, on libel subpoena, subsequent proceedings and evidence thereon, duly taken and filed of record, and it appearing to the court that the causes set forth in said libel are true it is by the court ordered, adjudged and decreed, That the said Mary Elizabeth Jackson be divorced and forever separated from the nuptial ties and bonds of Matrimony here to fore contracted between her the said Mary Elizabeth Jackson, the libellant and the said Howard D. Jackson, the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time heretofore, in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

John C. Spencer

42

J. Pius Lisbel
for Commonwealth of
Pennsylvania
10/3/40 P.D.S. Pro.

January 26, 1944
Record of Prothonotary
Three Dollars attorney
fee in above case
John C Spencer

In re Appeal of Seymour Culver and Blanche Culver

from

Decree of Confirmation by the Court of Quarter Sessions of the report and award of Viewers at No. 2 May Sessions 1940, re construction, broadening & changing grade of Highway Route No. 322, in Vernon Tp. passing through lands of appellants.
Entered Sept. 30, 1940

Pro. Slayton 11/23/40. Pd. $ 5.00
Pro. for Co. 1-26-44 Pd. 3.35 ✓
Atty. 3.00

Sept. 30, 1940, Appeal and affidavit filed.
Same day Certificates of filing appeal issued to Clerk of Q.S. and Co. Comrs.
Jan. 24, 1941. Agreement of counsel fixing an issue in this proceeding filed.
On Spring List 1941, No. 20.
March 3, 1941. Continued by agreement of Counsel.
Per Curiam.

Now Jan 26 1944. We hereby withdraw the above captioned appeal and direct the Prothonotary to notify the Clerk of Courts accordingly in order that the Court decree nisi may be confirmed absolutely.

Seymour Culver
Blanch Culver

Attest: Jan. 26, 1944
Paul D. Slayton
Pro. Thy.

Frank D. Prather 43 Stuart A. Culbertson	Ira O. Van Matre vs. F. Eugene Allward Executor of the will of Flora Simmons Hotchkiss, deceased. Entered Oct. 1, 1940.	Summons in Assumpsit; Returnable to next term. Now, Oct. 1, 1940, Stuart A. Culbertson Esq. appears for Defendant, accepts service of this action, waives the issuance of a summons, with the same force and effect as if the summons had regularly issued, and had been duly served by the Sheriff. (See praecipe) A. page 87; No. page 81.

Tax & entry (paid)	$ 2.25
Pro. for Co.	3.50
Atty.	3.00

And now, Feby. 27, 1940, come the plaintiff in the above action, and Stuart A. Culbertson, Attorney for the defendant in the above entitled case, and agree that the amount involved in said suit is the sum of $361.60 plus costs of suit, and interest from October 1, 1940, and further agree that judgment may be entered by the Prothonotary in said suit in the amount admitted to be due, to-wit $361.60 and interest from October 1, 1940 to date, $9.05 the sum of $370.65, with costs of suit.

(Signed) Ira O. Van Matre
(Signed) Stuart A. Culbertson,
Atty. for Defts.

And now, March 3, 1941, upon agreement of pltf & defendant in the above case, judgment is entered in favor of the plaintiff and against the defendant in the sum of Three hundred seventy & 65/100 Dollars, with costs of suit.

Debt $370.65
Int. from Mar. 1, 1941.
Judgment
Paul D. Slayton, Pro.

A. p. 87; No. p. 81.

44 Arden D. Mook Herbert A. Mook (See motion for Non pros.)	Emily Kelly vs. Claude Terrill Entered Oct. 2, 1940 £ Tax & entry (pd by Dft) 1.50 Costs on Trans (pd by Dft) 7.95 Pro. Slayton 1.50 Atty 3.00	Appeal by Defendant from Judgment of Dominick Lemme, Alderman. Oct. 2, 1940, Proof of notice to plaintiff of filing appeal filed. And now, April 15, 1941, On motion of Herbert A. Mook, Esq. Attorney for Deft, Non pros. entered for want of a Statement of claim. (See paper filed) K. page 113. Judgment Paul D. Slayton, Dr.

Kent & Kent
45

Florence Reider
vs.
Dudley M. Reider
Issued Oct 2, 1940

Tax & writ (paid)	$	3.00
Shff. Smith (paid)		3.20
A. D. Andrews, master		25.00
Pro. for Co. 11-4-40, Pd.		8.10
atty.		3.00

Nov. 4, 1940, Rec'd $33.10 costs
P.D.S.

Subpoena in Divorce
And now, October 2, 1940, the within petition presented, and Subpoena awarded, returnable to the first Monday of November, 1940.
Per Curiam,
Oblare Kent, P.J.

Subpoena returned. Served the Subpoena in Divorce on the respondent personally on the 2d day of Oct. 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.
So answers Harry P. Smith, Sheriff

Nov. 22, 1940. Rec'd of Prothonotary Slaytor $25 as Master's fee.
A. Dickson Andrews

And now, Nov. 4th, 1940, A. D. Andrews, Esq., is appointed master to take testimony. Per Curiam.

Nov. 22, 1940, Testimony and report of Master filed.
On Arg. List for Nov. Term, 1940, No. 44

Dec. 3, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Dudley M. Reider, is ordered to pay the cost of this proceeding. Per Curiam.

Decree.

And now Decemb. 3 A.D. 1940. this cause came on to be heard on libel subpoena subsequent proceedings and evidence thereon duly taken and filed of record and it appearing to the court that the causes set forth in said libel are true it is by the court ordered adjudged and decreed.

That the said Florence Reider be divorced and forever seperated from the nuptial ties & bonds of Matrimony heretofore contracted between her the said Florence Reider the libellant and the said Dudley M. Rider the respondent and that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said Marriage shall cease and determine;

And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been Married.

Per Curiam

George X. Simonetta

46

Stuart A. Culbertson

Albert Beatty, a minor, by Howard L. Rice, his (chosen) Guardian
vs.
Howard L. Rice
Entered Oct. 2, 1940

Tax 10/18/40 pd. $2.00
Pro. Clayton 10/18/40 pd. 5.00
Atty 3.00

Summons in Trespass,
Returnable to first Monday of October, 1940.

Now, Oct. 2, 1940, Stuart A. Culbertson, Esq., appears for deft., waives the issuance of the Summons, and accepts service of the writ, with the same force and effect as though the summons had been duly and regularly issued and service thereof duly made by the Sheriff of Crawford County upon the said defendant.

(See praecipe)

Oct. 18, 1940. Recd. from Deft. $10.00, being costs as taxed.
Paul D. Clayton
Pro.

Oct. 3, 1940. Petition to settle and compromise claim filed.

And now, October 2, 1940, upon presentation of the above and foregoing petition, and after due consideration thereof, it is ordered that Howard L. Rice chosen guardian of Albert Beatty, be and is hereby authorized and empowered to compromise and settle for the sum of eighteen dollars, the claim of said minor for damages resulting from personal injuries sustained by him at the time and in the manner set forth in the said petition, and for the recovery of which an action has been brought at the number and term in said petition set forth, and on payment of the said amount by or for the defendant, Howard L. Rice, he the said Howard L. Rice is released from any and all liability to the said minor, Albert Beatty for damages growing out of the accident described in said petition.

It is further ordered that the sum of eighteen dollars be paid as follows: Dr. Eiler $14.00 and Dr. Bourquin $4.00, and costs of suit.

Per Curiam,
O. Clare Kent, P.J.

(See paper filed)

And now Oct 5, 1940
This action is discontinued and settled of Record.
George X. Simonetta
Atty for Plaintiff

Raymond C. Miller

Peters & Prather

Gladys Evelyn Anderson

vs.

Albert William Anderson

Issued Oct 3, 1940

Tax & writ (paid) $ 3.00
Shff Smith -.-
J. E. Henretta, Master 25.00
Pro. for Co. 11-4-40. Pd. 8.10
Atty. 3.00

Nov. 4, 1940, Rec'd. $35.00 costs. P. D. S.

Nov. 14th 1940. Recvd. my fees as master in above case. J. E. Henretta.

Rec'd $90 refund from Pro. Sayler 12-27-40 D. Meiser, Clk.

Subpoena in Divorce

And now, Oct. 3, 1940, the within petition presented, and Subpoena awarded, returnable to the first Monday of November, 1940.

Per Curiam,
O. Clare Kent, P. J.

Subpoena returned: Now, October 4, 1940 I hereby accept service by true and correct copy of the within Subpoena in Divorce, with the same force and effect as if duly served by the Sheriff upon the respondent, Albert William Anderson; and hereby enter my appearance generally for said respondent.

Peters & Prather, Frank D. Prather,
Attorney for Respondent.

(See back of Subpoena in Div.)

And now, November 4, 1940, J. E. Henretta, Esq., is appointed Master in Divorce to take testimony on the above matter and make report thereon to the Court. Per Curiam,

Nov. 14, 1940. Testimony and Report of Master filed.

On Argt. List for Nov. Term, 1940, No. 40.

Dec. 3, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Alfred William Anderson, is ordered to pay the cost of this proceeding. Per Curiam.

Decree

And now to wit: December 3. A. D. 1940 this cause came on to be heard on libel subpoena subsequent proceedings and evidence thereon duly taken and filed of record and it appearing to the court that the causes set forth in said libel are true, it is by the court ordered adjudged and decreed.

That the said Gladys Evelyn Anderson be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Gladys Evelyn Anderson the libellant and the said Albert William Anderson the respondent; and that there upon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time prior to or in pursuance of said marriage shall cease & determine.

And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

per Curiam

Kent & Kent
48

Charlotte Rose Cochran
vs.
Paul G. Cochran
Issued Oct. 3, 1940

	$
Tax & writ (paid)	3.00
Shff Smith Rd.	3.20
Fred C. Kiebort, Jr. Master	25.00
Pro. for Co. 11-12-40. Pd.	8.10
Atty.	3.00

Nov. 12, 1940. Rec'd $33.10 costs. P. D. S.

Subpoena in Divorce and for custody of Karen Cochran, minor child of the parties.

And now, October 3, 1940, the within petition presented, and Subpoena awarded, returnable to the first Monday of November, 1940.

Per Curiam,
Oblare Kent, P.J.

Nov. 12, 1940, Subpoena retd; Served the within Subpoena in Divorce on the Respondent, personally, on the 7th day of Oct. 1940 by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit.

So answers,
Harry B. Smith, Sheriff.

And now, November 4, 1940, the within motion is granted and Fred C. Kiebort, Jr. Esq., is appointed Master to take testimony in the above entitled case.

Per Curiam.

Now Nov. 15, 1940
Received Master's Fee of $25.00 in above Case.
F. C. Kiebort Jr.
Master

Nov. 15, 1940, Testimony and Report of master filed,
On Arg. List for Nov. Term, 1940, No. 41.

Dec. 3, 1940, After due consideration a divorce is decreed as prayed for and the respondent, Paul G. Cochran, is ordered to pay the cost of this proceeding, and the custody of minor child, Karen Cochran, is awarded to libellant, Charlotte Rose Cochran.

-Decree-

Per Curiam.

And now to wit December 3-A.D. 1940. this cause came on to be heard on libel subpoena, subsequent proceedings and evidence thereon, duly taken and filed of record and it appearing to the Court that the cause set forth in said libel are true, it is by the court ordered adjudged and decreed,

That the said Charlotte Rose Cochran be divorced and forever seperated from the nuptial ties and bonds of Matrimony heretofore Contracted between her the said Charlotte Rose Cochran the libellant and the said Paul G Cochran the respondent and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

It is further ordered and decreed that the Custody of minor child Karen Cochran is awarded to libellant Charlotte Rose Cochran

Per Curiam.

Gerald D. Prather (Sec Ans) 49 Stuart A Culbertson for Rule	Armond Glover vs. Levi Briggs Entered Oct 4, 1940 Tax + entry pd by pltf 1.50 Costs on Trans 6.15	Appeal by plaintiff from judgment of S. G. MacTarnaghan, Alderman. And now, Nov 7, 1940, On motion in open Court, rule to show cause granted why the appeal in the above entitled case should not be quashed; returnable sec leg; all proceedings stayed in meantime (See paper files) Per Curiam. Nov 18, 1940 Petfs answer to rule to quash appeal filed. Service accepted by Defts Atty.

Stuart A Culbertson
50

Nov. 11, 1940, Recd $35.00 costs
P.D.S.

Nov. 23 1940
Received of Prothonotary,
Twenty five Dollars
Master Fee
John C. Spencer

Dec. 19, 1940 recd of Pro Sheriff $1.90 refund on costs in this case.
Wm. H. Griffith
Sheriff Lycoming Co.

H. J. Tiel
vs.
Celia Tiel
Issued Oct. 4, 1940

Tax & writ (10/5/40 paid)	$	3.00
Shff. Smith (Pd.)		3.80,
John C. Spencer, Master		25.00
Pro. for Co. 11-11-40. Pd.		8.10
Atty.		3.00

Subpoena in Divorce
"And now, Oct. 4th, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to the second Monday of November, 1940."
Per Curiam,
O. Clare Kent, P.J.

Nov. 9, 1940, Subpoena rec'd; Served the within Subpoena in Divorce on the Respondent, personally on the 7th day of November, 1940 by delivering to her a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit. So answers,
Harry B. Smith, Shff.

And now, November 11, 1940, John C. Spencer, Esq., is hereby appointed Master to take testimony in the above entitled case and make report to the court.
Per Curiam.

Nov. 23, 1940. Testimony and Report of Master filed
On Argt. List for Nov. Term, 1940, No. 49.
Dec. 3, 1940, after due consideration a divorce is decreed as prayed for.
Per Curiam.

-Decree-

And now to wit: December 3- A.D. 1940. this cause came on to be heard on libel subpoena. subsequent proceedings and evidence thereon. duly taken and filed of record and it appearing to the Court that the cause set forth in said libel entitles the plaintiff to a divorce it is by the Court ordered adjudged and decreed;
That the said H. J. Tiel be divorced and forever separated from the nuptial ties, and bonds of matrimony heretofore contracted between him the said H. J. Tiel the libellant and the said Celia Tiel the respondent;
And that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time heretofore in pursuance of said marriage shall cease and determine;
And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

Herbert E. Varnum
51

Ellen W. James
vs
R. Maynard James
Issued Oct. 5, 1940

Tax writ (paid)	$ 3.00
Shff. Smith (paid)	1.60
Shff. Smith, alias	
George F. Brown, Master	25.00
Pro. for Co. 2-6-41. Pd.	9.10
Atty.	3.00

Subpoena in Divorce.
"And now, October 5, 1940, the within petition presented in open Court, and subpoena awarded, returnable to the first Monday of Novem 1940."
Per Curiam,
O. Clare Kent, P.J.

Subpoena retd: Nov. 4, 1940, Non est inventus as to the within named respondent, So answers
Harry B. Smith, Shff.

Jan. 3, 1941, Alias Subpoena in Divorce issued, returnable to first Monday of February, 1941.

Feby. 5, 1941, Alias Subpoena retd.; Earle A. Varnum being duly sworn says that he served the within Subpoena upon R. Maynard James at 218 West Walnut St., Titusville, Pa., by reading him the original and giving him a true and attested copy of the same, on Wednesday, January 29, 1941 at 2:45 P.M.

And now, February 6th, 1941 George Frank Brown, Esq., is appointed Master in the above entitled case to take testimony and report to the Court.
Per Curiam.

Feby. 12, 1941, Testimony and Report of Master filed.
On Argt. List for Feby. Term, 1941, No. 28.

March 4, 1941, After due consideration a divorce is decreed as prayed for and the respondent, R. Maynard James, is ordered to pay the cost of this proceeding.
Per Curiam,

—Decree—

And now to wit; March 4 a.d. 1941 this cause came on to be heard on libel subpoena subsequent proceedings and evidence thereon, duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed. That the said Ellen W. James be divorced and for ever seperated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Ellen W. James the libellant, and the said R. Maynard James the respondent; and that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time hereto fore in pursuance of said Marriage shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam.

Feby. 5, 1941, Recd $34.10 costs.
P. D. S.

Feby. 8, 1941, Paid Geo. Frank Brown $25.00 Master fee by Check No. 829. P. D. S.

Kent & Kent 52	Marion Rosemond vs Edward H. Berly Entered Oct. 5, 1940	Of No. 239 September Term, 1935 Amicable Scire Facias sur Judgment It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant for the sum of Seventeen hundred and eighty-five Dollars, being the amount of debt and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note. Dated Sept. 20, 1940.
	Pro. Slayton (paid) $ 2.25 Atty Pd 9/5/43 John D. Kent 3.00 Attys Kent & Moody Pd. 9/5/43 John D. Kent on Original 3.00	

Debt $1785.00
Int. from
Judgment
Paul D. Slayton, Pro.

Be page 146

Sept. 8, 1943, This judgment satisfied (See paper filed.)

Walter J. McClintock

53

Petition of Commissioners of Crawford County for approval of private sale to The Standard Life Insurance Company of America, of 89 acres of land in Spring Tp., assessed in name of L. P. Berry, and sold to said Comrs. at Treasurers sale for taxes, on 1st Mon. of Aug. 1934
Entered Oct. 7, 1940

Pro. Slayton $5.00

Now, Oct. 7, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of November, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had for a hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. (See paper filed) Per Curiam

And now, November 4, 1940, at 9:30 A.M., the time fixed for a hearing on the above petition it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The Standard Life Insurance Company of America, of Pittsburgh, Penna, a Commissioners deed for the proper conveyance of said land and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.
(See paper filed) Per Curiam

Walter J. McClintock

54

Petition of Commissioners of Crawford County for approval of private sale to The Standard Life Insurance Company of America, of 10 Lots in Spring Tp., assessed in name of Christine Salvatore, and sold to said Comrs. at Treasurers sale for taxes on 1st Mon Aug. 1934.
Entered Oct. 7, 1940

Pro. Slayton $5.00

Now, Oct. 7, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of November 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for a hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford. (See paper filed) Per Curiam.

And now, November 4, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after due consideration of of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The Standard Life Insurance Company of America, of Pittsburgh, Pa, a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor and to pay all costs of this proceeding from said purchase price.
(See paper filed) Per Curiam.

Walter J. McClintock 55	Petition of Commissioners of Crawford County for approval of private sale to The Standard Life Insurance Company of America, of two lots in Spring Tp., assessed in name of J. Schuler and F. C. Shafer, and sold to said Comrs. at Treasurers sale for taxes on 1st Monday of August, 1934. Entered Oct. 4, 1940. Pro. Slayton $5.00	Now, October 7, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of November 1940, at 9:30 o'clock A. M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford (See paper filed) Per Curiam. And now, November 4, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, The Standard Life Insurance Company of America, of Pittsburgh, Penna., a Commissioners deed for the proper conveyance of said land, and to collect the purchase therefor, and to pay all costs of this proceeding from said purchase price. (See paper filed) Per Curiam.
Walter J. McClintock 56	Petition of Commissioners of Crawford County for approval of private sale to Bishop John M. Gannon D. D., in trust for St. Peter's Congregation of Conneautville Pa., of 5 acres of land adjoining the Roman Cemetery in Spring Tp., assessed in name of Clifford and Carrie Spencer and sold to said Comrs. at Treasurers sale for taxes on 1st Monday of Aug. 1933. Entered Oct. 7, 1940 Pro. Slayton $5.00	Now, October 7, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of November, 1940, at 9:30 o'clock A. M., or as soon thereafter as the attention of the Court may be had, for for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford, and notice of said petition and order to be given to the School District of Spring Tp. and the Supervisors of the Township of Spring, being the taxing authorities; said notice to be served on them personally or by registered mail. (See paper filed) Per Curiam. And now, November 4, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, Bishop John M. Gannon, D. D., in trust for St. Peter's Congregation, of Conneautville Penna., a Commissioners deed for the proper conveyance of said land and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. (See paper filed) Per Curiam.

Walter J. McClintock

57

Petition of Commissioners of Crawford County for approval of private sale George R. McIntosh of Albion Pa., of 112 acres of land in Spring Tp., assessed in names of P.C. and J.C. Mead, and sold to said Comrs., at Treasurer sale for taxes on first Monday of Aug. 1934.

Entered Oct. 7, 1940

Pro. Clayton $5.00

Now, October 7, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of November, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford, and notice of said petition and order to be given to the School District of Spring Township and the Supervisors of the Township of Spring, being the taxing authorities; said notice to be served on them personally, or by registered mail.

(See paper filed) Per Curiam

Nov. 4, 1940. Proof of publication of notice and acceptance of service of notice by the School Dist and Supervisors of Spring Tp. filed.

And now, November 4, 1940, at 9:30 A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, George R. McIntosh, of Albion, Pa., a Commissioners deed for the proper conveyance of said land, and to pay the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

(See paper filed) Per Curiam

Walter J. McClintock

58

Petition of Commissioners of Crawford County for approval of private sale to Albert J. Rittenhouse and Vera E. Rittenhouse of 100 acs. of land in East Mead Tp., assessed in name of Frank F. Briggs, and sold to said Comrs. at Treasurers sale for taxes, on first Monday of Aug. 1932.

Entered Oct. 7, 1940

Pro. Clayton $5.00

Now, October 7, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of November, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had for a hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford, and notice of said petition and order to be given to the School District of East Mead Township and the Supervisors of the Township of East Mead, being the taxing authorities; said notice to be served on them personally or by registered mail.

(See paper filed) Per Curiam

Nov. 4, 1940. Proof of publication of notice and acceptance of service of notice by the School District and Supervisors of East Mead Township, filed.

And now, November 4, 1940, at 9:30 o'clock A.M., the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchasers, Albert J. Rittenhouse and Vera E. Rittenhouse, of Meadville, Pa., a Commissioners deed for the proper conveyance of said land, and to pay the purchase price therefor, and to pay all costs of this proceeding from said purchase price.

(See paper filed) Per Curiam

McDonald & Kraffert
59

Virginia L. Corbett
vs.
James Corbett
Issued Oct. 7, 1940

		#
Tax & writ 11-12-40 Pd.		3.00
R.B. Mahany, Master		25.00
Pro. for Co. 11-12-40 Pd.		8.10
Atty.		3.00

Nov. 11, 1940. Rec'd $33.10 costs.
P.D.S.

Nov. 23, 1940. Paid R.B. Mahany $25.00 masters fee by check No. 802.
P.D.S.

Subpoena in Divorce

And now, Oct. 7, 1940, upon presentation of the within libel, a Subpoena in Divorce is ordered to be issued, returnable to second Monday of November next.

Per Curiam
O. Clare Kent, P.J.

Subpoena returned: Wm. Vann Ausdall makes affidavit: "That he served the within Subpoena in Divorce personally upon James Corbett, on October 16, 1940, at 4:40 P.M., at his residence, Second Floor of the premises known as No. 23 Elm Street, Oil City, Pa., by handing to him a true and attested copy hereof, and making known to him the contents of the same."

(See affidavit on writ.)

And now, Nov. 11, 1940, R.B. Mahany, Esq. appointed to take testimony and make report thereon, in the above entitled matter.

Per Curiam.

Nov. 23, 1940. Testimony and Report of Master filed.
On Argt. List for Nov. Term, 1940, No. 51.

Dec. 4th, 1940. This is a borderline case, the testimony is very weak and is largely dependant upon that of the libellant, which is not specific and definite as to the character of the cruelty and indignities relied upon to justify and establish the desertion complained of. Wherefore, we can but conclude that the libel must be dismissed and a decree of divorce refused.

Per Curiam,
O. Clare Kent, P.J.

Feby. 22, 1941, Motion for Master to take additional testimony filed; Order: And now, Jan. 9, 1941, R.B. Mahany, Esq., Master, is ordered to take additional testimony in the above matter and to make a report thereon.

Per Curiam.

Feby. 22, 1941, Supplemental Master's report filed.
On Argt. List for Feby. Term, 1941, No. 60.

March 13, 1941, after due consideration a divorce is decreed as prayed for and the respondent, James Corbett, is ordered to pay the costs of this proceeding.

Per Curiam.

—Decree— And now to wit; March 13-ad 1941 this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed that the said Virginia L. Corbett be divorced and for ever separated from the marital ties and bonds of matrimony heretofore contracted between her the said Virginia L. Corbett the libellant and the said James Corbett the Respondent

Cont on margin

and that they pay all and every the duties rights and claims accruing to either the said libellant or the said Respondent at any time heretofore in pursuance of said marriage shall cease & determine; and the said libellant and said respondent shall severally be at liberty to marry again in like manner as if they had never been married

Per Curiam

Kenneth W Rice 60	John A. Himes vs. Margaret Jane Himes Issued Oct 7, 1940 # 1 Tax & writ (paid) 3.00 Shff. Smith	Subpoena in Divorce And now, October 7, 1940 Subpoena awarded, Returnable to the second Monday of November, 1940 Per Curiam, O. Blare Kent, P.J.

J. Joseph Thomas
61

Nov. 15, 1940, Rec'd. $33.10 costs. P.D.S.

Nov 19-1940 - Rec'd $25 Master's fee - Geo. C. Magee Jr -

Gladys Curry
61
vs.
James Curry
Issued Oct. 7, 1940

Tax writ (paid)	$ 3.00
Stff. Smith (Pd.)	3.50
George C. Magee, Master	25.00
Pro. Jou Co. 11-15-40. Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, October 7, 1940, Subpoena awarded, Returnable to the second Monday of November next.

Per Curiam,
O. Clare Kent, P.J.

Nov. 15, 1940, Subpoena retd; Served the within Subpoena in Divorce on the Respondent, personally, on the 17th day of Oct. 1940 by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit. So answers,

Harry B. Smith, Sheriff.

And now, November 14, 1940, George C. Magee, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.

Per Curiam,

Nov. 19, 1940. Testimony and Report of Master filed,

On Arg'k List for Nov. Term, 1940. No. 42.

Dec. 3, 1940, After due consideration a divorce is decreed as prayed for and the respondent, James Curry, is ordered to pay the cost of this proceeding.

Per Curiam,

Decree.

And now to wit; Dec 3 - A.D. 1940. this cause came on to be heard on libel subpoena subsequent proceeding and evidence therein, duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true it is by the court ordered, adjudged and decreed;

That the said Gladys Curry the libellant and the said James Curry the respondent; and that thereupon all and every, the duties rights and claims accruing to either the said libellant or the said respondent at any time hereto fore in pursuance of said marriage shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

Stuart A. Culbertson	Mary L. Marshall, now use of W. J. Marshall vs Mrs. Sara Colbourne and Walter Colbourne. Entered Oct. 8, 1940	1935 Of No. 236 February Term, 1940 Amicable Scire Facias sur Judgment
62		It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county and duly so returned: and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Two hundred forty and 52/100 Dollars, being the amount of debt, interest to Oct. 15, 1940 and costs now due on the original judgment with all the waivers and conditions contained in the original judgment note.
	Pro. Slayton (paid) $2.25 Atty 3.00	

Debt $240.52
Int. from Oct. 15, 1940.
Co. page 36, 36 Judgment.
Paul D. Slayton, Prothy.

Now, March 16, 1942, Received $140.00 of Walter Colburne payment on principal debt. W. J. Marshall

Now November 9, 1944 received of Walter Colburne the sum of $100.00 leavy a balance of principal and interest of $48.90 due as of this date. W. J. Marshall

July 16, 1946

Received Satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.

David R. Gilbert
Plff's Atty

Witness: Paul D. Slayton

Stuart A. Culbertson 63	Home Owners Loan Corporation vs Adelaide Roche and William J. Roche Entered Oct. 10, 1940 $ Pro. Slayton (Deft. Pd) 2.25 Atty 3.00 Original costs: Atty Nagorski 4.75	Of No. 309 September Term, 1935. Amicable Scire Facias sur Judgment It is agreed that the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned, and that a judgment be entered thereon in favor of the plaintiff and against the defendants, for the sum of Sixteen thousand three hundred seventy-four and 33/100 Dollars, being the amount of debt, interest to October 13, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note. Debt $16374.33 Interest from Oct 13, 1940 R pages 65 & 66 Judgment. Paul D. Slayton, Pro

Dec. 18, 1940 Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to ~~satisfy the same of~~ record.

Paul D. Slayton
Atty for Home Owners Loan Corporation

Kent & Kent
64

July 11, 1941, Recd. $3.3.10 costs.
P.O.S.
Sept 20/41. Received $25.00 Masters Fee
Otto A Stolz

Helen Johnson
vs.
Emil F. Johnson
Issued Oct. 10, 1940

Tax & writ	12/30/40. (Paid.)	$ 3.00
Stuff. Smith	(paid)	3.50
Otto A. Stolz, Master		25.00
Pro. for Co. 7-11-41. Pd.		8.10
Atty.		3.00
Pro. addl. 9-30-41. Pd.		.50

Subpoena in Divorce
And now, October 10, 1940, Subpoena awarded, Returnable to the Second Monday of November, 1940
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 21st day of October, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above
So answers Harry B. Smith, Sheriff

And now, July 11, 1941, Otto A. Stolz, Esq., is appointed Master to take testimony. Per Curiam.
(See paper filed.) Com. issued

Sept. 19, 1941, Testimony and Report of Master filed,
On Argt. List for Sept. Term, 1941; No. 49.

Sept. 29, 1941, after due consideration a divorce is decreed as prayed for, the respondent, Emil F. Johnson, is ordered to pay the cost of this proceeding and the custody of minor child, Robert Allen Johnson, is awarded to libellant, Helen Johnson.
Per Curiam.

Decree.

And now to-wit: September 29, A.D. 1941, this cause came on to be heard on libel subpoena, subsequent proceedings and evidence thereon duly taken and filed of record, and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered, adjudged and decreed, That the said Helen Johnson be divorced and for ever seperated from the Nuptial ties and bonds of Matrimony now to the contracted between her the said Helen Johnson the libellant; And the said Emil F. Johnson, the respondent; and that thereupon all and every the duties, rights and Claims according to either the said libellant or the said respondent, at any time pending in or in pursuance of said marriage, shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

It is further ordered and decreed that the custody of minor child, Robert Allen Johnson is awarded to libellant Helen Johnson
Per Curiam.

Kent & Kent
65

11-18-1940 - Rec'd. Master's fee $25.
D. C. Thompson

Nov. 11, 1940. Rec'd $33.10 costs
P. D. S.

Florence Coleman
vs.
Donald William Coleman
Issued Oct. 10, 1940

Tax & writ 11-21-40. Pd.	$	3.00
Shff. Smith Pd.		3.40
Donald C. Thompson, Master		25.00
Pro. for Co. 11-12-40. Pd.		8.10
Atty.		3.00

Subpoena in Divorce

And now, Oct. 10, 1940, the within petition presented in open Court and subpoena awarded, returnable to the second Monday of November, 1940

Per Curiam,
O. Clare Kent, P.J.

Nov. 11, 1940, Subpoena ret'd; Served the within Subpoena in Divorce on the Respondent, personally, on the 17th day of Oct, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.

So answers,
Harry B. Smith, Sheriff.

And now, Nov. 14, 1940, Donald C. Thompson, Esq., is appointed master to take testimony

Per Curiam,

Nov. 18, 1940. Testimony and Report of Master filed.

On Arg'r. List for Nov. Term, 1940, No. 43

Dec. 3, 1940 After due consideration a divorce is decreed as prayed for and the respondent, Donald William Coleman, is ordered to pay the cost of this proceeding. Per Curiam.

Decree.

And now to wit; December 3. A.D. 1940 this cause came on to be heard on libel subpoena subsequent proceedings, and evidence there in duly taken and filed of record and it appearing to the Court, that the causes set forth in said libel are true it is by the court, ordered adjudged & decreed.

That the said Florence Coleman be divorced and forever separated from the nuptial ties and bonds of Matrimony heretofore contracted between her the said Florence Coleman the libellant and the said Donald William Coleman the respondent and that there upon all and every the duties rights and claims accruing to either the said libellant or the said respondent and at any time hereto fore in pursuance of said Marriage shall cease and determine;

And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been Married.

per curiam

F. Joseph Thomas
66

Feby. 13, 1941, Recd. $35.00 costs.
P. D. S.

Feb 17-1941 - Received $25.00 Master fee's
Geo. C Magee

Eva Plautz
vs.
Ralph E Plautz
Issued Oct 10, 1940

Tax & writ 10/11/40 Pd $ 3.00
Shff Smith (paid) 1.60
Shff Smith, alias (paid) 1.60
Shff Smith, Prac (Paid) 11.15
George C. Magee, Master 25.00
Pro. for Co. 2-13-41. Pd. 10.00
Atty. 3.00
55.35

Subpoena in Divorce
And now, October 10, 1940, Subpoena awarded. Returnable to the second Monday of November, 1940
Per Curiam,
O. Blare Kent, P.J.

Subpoena retd: Nov 11, 1940, Non est inventus as to the within named respondent. So answers
Harry B Smith, Sheriff

Nov 15, 1940 Alias Subpoena in Divorce issued, returnable to first Monday of January next.

Alias Subpoena retd. Jan. 6, 1941, Non est inventus as to the within named respondent. So answers,
Harry B. Smith, Sheriff.

Jan. 6, 1941, Order for Proclamation in Divorce issued returnable to next term.

Feby. 10, 1941, ---- I have made proclamation in the above entitled case according to law, and caused the same to be published in the Linesville Herald, Linesville, Pa., a newspaper printed within my bailiwick, once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication hereto attached.
So answers,
Harry B. Smith, Sheriff.

And now, February 13, 1941, George C. Magee, Esq., is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.
Per Curiam.

Feby. 17, 1941, Testimony and Report of Master filed.

March 4, 1941, After due consideration a divorce is decreed as prayed for and the respondent, Ralph E. Plautz, is ordered to pay the cost of this proceeding.
Per Curiam,

— Decree —

And now to wit: March 4 A.D. 1941 this cause came on to be heard on libel subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record, and it appearing to the Court that the cause set forth in said libel are true, it is by the court ordered, adjudged and decreed, That the said Eva Plautz be divorced and for ever seperated from the nuptial ties and bonds of Matrimony heretofore contracted between her the said Eva Plautz the Libellant and the said Ralph E Plautz the respondent and that thenceforth all and singular the duties, rights & claims accruing to either the said Libellant or said respondent at any time heretofore in pursuance of said marriage shall cease and determine and the said Libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.
Per Curiam

F. Joseph Thomas
67

Nov. 14, 1940, Rec'd $33.10 costs.
P. D. S.

Nov 22, 1940, Received masters fees of $25.00 in the above entitled case.
George X. Simonetta
Master

Nov 17-1941 Rec'd
$25.00 [illegible]

Cora E. Flickinger
vs.
Roy B. Flickinger
Issued Oct. 10, 1940.

Tax & writ, 10/11/40, Pd. $3.00
Shff. Smith Pd. 3.20
George X. Simonetta, Master 25.00
Pro. for Co. 11-15-40. Pd. 8.10
Atty. 3.00

Subpoena in Divorce

And now, October 10, 1940, Subpoena awarded; Returnable to the Second Monday of November, 1940

Per Curiam,
O. Clare Kent, P. J.

Nov. 15, 1940, Subpoena retd; Served the within Subpoena in Divorce on the Respondent, personally, on the 17th day of Oct. 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit, So answers,

Harry B. Smith, Shff.

And now, November 14, 1940, George X. Simonetta, Esq, is appointed Master to take testimony in the above entitled case and make a report thereon to the Court.

Per Curiam.

Nov. 22, 1940. Testimony and report of Master filed.

On Argt. List for Nov. Term, 1940, No. 46

Dec. 3, 1940, After due consideration a divorce is decreed as prayed for and the respondent, Roy B. Flickinger, is ordered to pay the cost of this proceeding.

Per Curiam.

Decree.

And now to wit. December 3 - A.D. 1940 this Cause came on to be heard on libl suppoena, subsequent proceedings and evidence thereon duly taken and filed of record and it appearing to the Court that the causes set forth in said libl are true is by the Court ordered adjudged and decreed.

That the said Cora E. Flickinger be divorced and forever be seperated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Cora E. Flickinger the libellant and the said Roy B. Flickinger the respondent And that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent, at any time hereto fore in pursuance of said Marriage shall cease and determine;

And the said libelland and respondent shall be at liberty to marry again in like manner as if they had never been Married

per Curiam

Albert L. Thomas
Kenneth W. Rice
68

Edward H. Dilley
vs.
Lucille H. Dilley
Issued Oct. 12, 1940

Tax Writ (paid)	3.00
Shff Smith Pd.	3.50
John Schuler, Master	25.00
Pro. for Co. 11-20-40 Pd.	8.10
Atty.	3.00

Subpoena in Divorce
And now, Oct. 12, 1940, Subpoena awarded, Returnable to the seconded Monday of November, 1940.

Per Curiam,
O Clare Kent, P.J.

Nov. 20, 1940, Subpoena retd.; Served the within Subpoena in Divorce on the Respondent, personally on the 25th day of Oct, 1940, by delivering to her a true and attested copy of the same, and making known to her the contents thereof, as appears from affidavit. So answers,

Harry B. Smith, Sheriff

Nov. 20, 1940. Rec'd $35.00 costs.
O.D.S.

Nov. 23, 1940 Received of Prothonotary Slaytem $25.00 masters fee.
John Schuler

And now, November 20, 1940, John Schuler, Esq., is appointed Master in the above entitled case. Per Curiam,

Nov. 23, 1940, Testimony and Report of Master filed.
On Arg'k List for Nov. Term, 1940, No. 50.

Dec. 4, 1940, After due consideration a divorce is decreed as prayed for. Per Curiam.

Dec 19, 1940
Received from Prothonotary $1.90 refund on costs.
Kenneth W Rice
Atty for Plaintiff.

-Done-

And now, to wit December 4, A.D. 1940 this cause came on to be heard on libel, Subpoena, subsequent proceedings, and evidence therein, duly taken and filed of record and it appearing to the Court, that the causes set forth in said libel are true it is by the Court ordered adjudged & decreed:

That the said Edward H. Dilley ~~the libellant~~ be and forever separated from the nuptial ties & bonds of matrimony now to fore, Contracted between him the said Edward H. Dilley the libellant and the said Lucille H. Dilley the respondent.

And that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent, at any time heretofore in pursuance of said marriage shall cease and determine;

And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married

Per Curiam.

69	McClure & Sterling vs. Dora Parker, and W. M. Parker Entered Oct. 14, 1940. Pro. Slayton (Paid) $2.25	Of No. 12 November Term, 1933. Appl. Doc. Amicable Scire Facias sur Judgment. It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiffs and against the defendants for the sum of One hundred forty-four and 56/100 Dollars, being the amount of debt, interest to October 15, 1940, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note. Debt 144.56 Interest from Oct. 15, 1940. P. pages 87 & 114. Judgment Paul D. Slayton, Prothy.

Leland J Culbertson 70	Federal Farm Mortgage Corporation vs. William Noble Caldwell, unmarried, and Margaret Caldwell, unmarried, original mortgagors; Albert Sorrell and Florence Sorrell, his wife, terre tenants and real owners. Issued Oct. 14, 1940 Tax & writ (paid) $3.00 Recorder Smock .50 Stiff Smith dal (paid) 6.00 Pro Slayton 3/6/41 Pd. 2.50 Atty 3.00	Scire Facias sur Mortgage recorded in Mortgage Book Vol. 160 page 223; Returnable to first Monday of November, 1940. Oct. 14, 1940, Statement of claim filed. Writ retd: Served the within Sci. Fa. sur Mortgage, together with copy of Statement of Claim, personally on Albert Sorrell, terre tenant and real owner, by serving Florence Sorrell, she being an adult member of the family, namely, his wife, at their residence in Summerhill Tp, Crawford County, Pa., on Oct. 25, 1940, at 3:30 o'clock P.M. by handing to her a true and attested copy thereof, and making contents of same known to her. Also served the same personally on Florence Sorrell, terre tenant and real owner, at her residence in Summerhill Township, Crawford County, Pa., on Oct. 25, 1940, at 3:30 o'clock P.M., by handing to her a true and attested copy thereof, and making contents of same known to her. Nihil habet as to William Noble Caldwell and Margaret Caldwell, original mortgagors, as per return from Sheriff of Allegheny County, Pa., hereto attached. So answers Harry B. Smith, Sheriff. And now, January 7, 1941, On motion of plaintiffs attorney judgment is entered in favor of the plaintiff and against the defendants and terre tenants, for want of an appearance and for want of an affidavit of defense, and liquidates the same at the sum of Twelve hundred fifty-five and 45/100 Dollars. (See paper filed) Debt $1255.45 Atty's Com included 56.00 Int. from Jan. 7, 1941 6a pages Soffa Judgment Paul D. Slayton, Pro Lev. Fac. to No. 36 Feb. Term, 1941 Jan. 7, 1941, Affidavit as to military status of the defts. and terre tenants, filed.

71

First National Bank of Meadville, Pa.
vs.
Ralph L. Jackson
Entered Oct. 15, 1940

Pro. Slayton (paid) 2.25
Pfff. on writ 1.75
Note: Costs $4.00 included in debt

Of No. 319 September Term, 1935, D.S.B.
Amicable Sci. Fa. sur Judgment.
It is agreed That the Prothonotary of said Court enter an Amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant, for the sum of Nine Hundred and fifty-four Dollars, being the amount of debt, interest to Oct. 15, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.
Dated Oct. 15, 1940.

Debt $954.00
Int. from Oct. 15.
Judgment
Paul D. Slayton, Pro

J page 3

Sept 21, 1943, Received satisfaction in full of the above judgment, Debt, Interest and Costs, and hereby authorized the Prothonotary to satisfy the same record.
Fee paid 9/22/43
First National Bank of Meadville Pa
Geo. Leadman, Atty-in-fact
Witness: Paul D. Slayton, Pro.

F. C. Kiebort, Jr.

72

Received 3.00 docket fee of Paul D. Slayton on Dec. 19, 1940.
F. C. Kiebort Jr.
Atty. for Plaintiff

Shirley Hadley, a minor, by Louis Hadley, her Guardian, and Louis Hadley and Irma Hadley, parents, in their own right
vs.
Robert McClimans
Issued Oct. 15, 1940

		#
Tax on writ	12/18/40. Pd.	2.00
Shff. Smith	(paid)	3.50
Pro. for Co.	12/18/40. Pd.	4.00
Atty.		3.00

Summons in Trespass
Returnable to first Monday of November, 1940.

And now, December 2, 1940, on presentation and consideration of the petition of the defendant, - Freda Spohr is hereby appointed Guardian ad litem of Robert McClimans, in the above stated case.
(See paper filed) Per Curiam

Dec. 16, 1940 Petition for leave to compromise and settle claim filed.

Now, December 16, 1940 upon presentation and consideration of the above and foregoing petition, it is ordered and decreed that Louis Hadley, father of Shirley Hadley, a minor, be and he is hereby authorized to compromise and settle for the sum of #25.00, the claim of said minor for damages resulting from personal injuries sustained by her at the time and in the manner set forth in said petition and for the recovery of which an action has been brought at the number and term therein set forth, and on payment of said amount by or for the defendant, Robert McClimans, he the said Robert McClimans, is released from any and all liability to the said minor, Shirley Hadley, for damages arising out of the accident described in said petition. It is further ordered and decreed that the said sum of #25.00 be paid to Louis Hadley and Irma Hadley as natural Guardians of the said minor, without the entry of security on their part.

(See paper filed)

Per Curiam,
O. Clare Kent, P.J.

Now, Dec. 18, 1940 the above action is settled and discontinued of record.

F. C. Kiebort Jr.
Atty for Plaintiff.

March 17, 1941. Summons returned. Served by delivering - handing a copy to defts mother, an adult member of his family, on Oct 23, 1940.
(See writ)

J. Perry Eckels

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Stewart & McGuire, Inc, a corporation,
vs.
M. P. Breckenridge
Issued, Oct. 16, 1940

	#
Jay & writ (paid)	2.00
Stiff Smith Pd.	4.50
Pro. for Co. 11-12-40. Pd,	2.50
Atty.	3.00

Summons in Assumpsit; Returnable to first Monday of November next.

Nov. 12, 1940, Summons retd; Served the within Summons, personally, on M. P. Breckenridge, by serving Edith Breckenridge, she being an adult member of the family, namely, his wife, at their residence in Vernon Township, Crawford County, Pa., on Oct. 28, 1940, at 11:00 o'clock A. M., by handing to her a true and attested copy of the within Summons and making contents of same known to her. So answers,

Harry B. Smith, Sheriff.

Nov. 12, 1940, Confession of Judgment filed;

I, M. P. Breckenridge, defendant, do hereby appear in the above entitled case and confess judgment in favor of the plaintiff for the sum of Twelve Hundred and 00/100 ($1200.00) with interest from April 25, 1938 and costs of suit, authorizing the Prothonotary to enter such judgment of record against me with release of all errors and without stay of execution and inquisition and extension upon any levy on real estate is hereby waived and condemnation agreed to and the exemption of personal property from levy and sale on any execution hereon, is also hereby expressly waived, and no benefit of exemption be claimed under and by virtue of any exemption law now in force or which may be hereafter passed.

Witness my hand and seal this 11th day of November, 1940.

(Signed) M. P. Breckenridge (Seal)

Debt $1200.00
Int. from April 25, 1938.
Judgment
Paul D. Slayton, Pro.

Bo. 22.

Leland J. Culbertson 74 George K. Simonetta for "And now, October 28, 1940, pursuant to notice duly given to John R. Strauss and Leland J. Culbertson, Attorney for the adverse party, I hereby withdraw as his attorney in this case." (Signed) George K. Simonetta Attorney for John R. (See paper filed) Strauss.	Petition of Maude T. Garfield for appointment of a Guardian for John R. Strauss of Linesville, Pa., as a person of weak mind Entered Oct. 17, 1940 Pro. Clayton 12/28/40. Pd. $5.00	Oct. 17, 1940, Petition presented in open Court & filed. St. page 161. And now, Oct. 17, 1940, upon presentation of the within petition November 1, 1940, at 10 o'clock A.M., is fixed for a hearing on the within application, and it is directed that ten days written notice thereof be given to the said John R. Strauss, his wife Viola L. Strauss and his daughter Leda E. Frey, of the time, place and nature of the hearing. Per Curiam, O. Clare Kent, P.J.

Thomas & Kiebort
75

Jan. 24, 1941 Recd $35.00 costs
O.D.S.

Feb. 20, 1941, Received $25.00 Masters Fee.
M. B. Maloney

Mar. 19, 1941, Recd. of Pro. Slayton 1.90 refund on costs.
Thomas & Kiebort

Juanita R. Christie
vs.
Fred G. Christie
Issued Oct. 19, 1940

Tax & writ (11/4/40 Book pd)	3.00
Shff. Smith (paid)	3.80
M. B. Maloney, Master	25.00
Pro. for Co. 1-25-41 Gl.	8.10
Atty.	3.00

Subpoena in Divorce and for custody of minor children, Hugh Christie aged 11 years, and Margaret Christie aged 14 years.

And now, October 19, 1940, Subpoena awarded, returnable to first Monday of December, 1940.

Per Curiam
O. Blare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the respondent personally on the 4th day of Nov. 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.

So answers: Harry B. Smith, Sheriff.

And now, Jan. 24th, 1941, on presentation of within motion M. B. Maloney, Esq. is hereby appointed Master to take testimony in above case.

Per Curiam.

Feby. 20, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 30.

March 4, 1941, after due consideration a divorce is decreed as prayed for, the respondent, Fred G. Christie, is ordered to pay the cost of this proceeding and the custody of minor children, Hugh and Margaret Christie, is awarded to the libellant, Juanita R. Christie.

Per Curiam.

— Decree —

And now - to wit, March 4, A.D. 1941 this cause came on to be heard on libel subpoena, subsequent procedings, and evidence thereon duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true it is by the Court ordered adjudged and decreed.

That the said Juanita R. Christie be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between her the said Juanita R. Christie the libellant and the said Fred G. Christie the respondent: and that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent at any time hereto fore in pursuance of said Marriage, shall cease and determine; and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

It is further ordered and decreed that the custody of minor children Hugh & Margaret Christie is awarded to the libellant, Juanita R. Christie.

Per Curiam

J. Berry Eckels

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Peters & Prather

Commonwealth of Pennsylvania, Department of Revenue

vs.

Harley J. Terrill

Entered Oct. 19, 1940

Pro. Clayton (paid) $5.00

Oct. 19, 1940, Petition for restoration of Operators License No. 66621 filed.

Now, October 19, 1940, upon presentation of the foregoing petition and due consideration thereof, it is hereby ordered that hearing upon said matters shall be held on the first Monday of February, 1941, at 9:30 A.M., or as soon thereafter as the Courts attention may be had, and that thirty days written notice thereof shall be given by the petitioner to the Secretary of Revenue of the State of Pennsylvania, by registered mail.

It is further ordered that said Harley J. Terrill shall have possession of his operators license plate No. 66621, and that said operators license shall be valid for all purposes until final determination by this Court.

Per Curiam,
O. Blare Kent, P.J.

(See paper filed)

Nov. 14, 1940, Petition of plaintiff by attorney, to set aside order making appeal supersedeas, presented in open Court and filed.

And now, Nov. 14, 1940, a Rule to show cause is granted, returnable and for hearing on the first Monday of December next, at which time hearing shall be held on the original appeal.

Per Curiam,
O. Blare Kent, P.J.

(See paper filed)

And now, Dec. 2, 1940, the hearing in the above case is continued to the first Monday of February next.

Per Curiam.

(See paper filed)

Now December 16 1940. in Reliance on Departmental communication to J. Parry Eckels that operators Privilege will be continued and instruction to have appeal withdrawn. it is hereby agreed that the appeal shall be and the Same is hereby withdrawn.

~~Peters & Prather~~

Frank D. Prather ~~Atty~~ for appellant

J. Parry Eckels atty for Dept of Revenue of the Commonwealth of Pennsylvania.

Thomas J. Kiebort	Commonwealth of Pennsylvania, Department of Revenue vs. Milton Renner Entered Oct. 21, 1940 Pro. Blayton (paid) $5.00	Oct. 21, 1940, Petition of Milton Renner for restoration of his Operator's License No. 104455, filed. Now, October 21, 1940, On presentation and consideration of the foregoing petition, it is ordered that a hearing on the matter therein set forth shall be held on the 2d day of December, 1940, at 9:30 o'clock A.M. And it is further ordered that 30 days written notice of said hearing be given to the Secretary of Revenue of the Commonwealth of Pennsylvania, by registered mail. It is further ordered that the said Milton Renner shall retain possession of his operators license, and that this appeal shall operate as a supersedeas until final determination thereof. Per Curiam, O. Clare Kent, P.J. (See paper filed)

Kent & Kent

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And now, Nov. 4, 1940, above case is settled and discontinued.
Robert F. Kent.
atty for Petitioners.
C/V to paid

Commonwealth of Pennsylvania ex rel Shirley Jean Brady and Patricia Marilyn Brady, by their father and next friend, Edward A. Brady
vs.
Leila Iola Brady and Rebecca Marvin
Issued Oct. 21, 1940

Pro Clayton (paid) $5.00
Stff Smith (paid) 8.10

Habeas Corpus for the custody of Shirley Jean Brady and Patricia Marilyn Brady, minor daughters of Edward A. Brady and Leila Iola Brady his wife.

And now, October 21, 1940, upon presentation of the within petition and after due consideration thereof, it is ordered that a writ of Habeas Corpus be issued as prayed for, and that the same be directed to Leila Iola Brady and Rebecca Marvin commanding them forthwith to bring before this Court the bodies of Shirley Jean Brady and Patricia Marilyn Brady, and show cause, if any they have why the said Shirley Jean Brady and Patricia Marilyn Brady should not be relieved of the said restraint, and why they should not be delivered into the custody of their father, Edward A. Brady. This writ of Habeas Corpus is returnable at 9:30 A.M. on the 28th day of October, 1940, in the Court of Common Pleas of Crawford County, Meadville, Penna.

Per Curiam,
O. Clare Kent, P.J.

(See paper filed)

And now, Oct 28, 1940, The above case continued until the 4th day of Nov. 1940. (See paper filed) Per Curiam.

Writ returned March 22, 1941.—

Writ of Habeas Corpus and copy of petition served personally on the respondents by the Sheriff, on Oct. 22, 1940. (For return at length, see writ.)

Walter J. McClintock

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Now Nov 13, 1940, for value received we hereby release from the lien of this judgment Lots 28 & 29 Sec. C of the Wrigley Plan of Lots, Sadsbury Tp conveyed to Lamont J Bonini et ux by deed recorded in D.B. 303 p. 248 and Lot 27 of the same section and plan conveyed to R A Batz recorded in D.B. 303 p 249.

Merchants National Bank and Trust Co., Meadville, Pa.

vs.

Elmer L. DeVore.

Issued Oct. 22, 1940

Pro. Slayton	10/23/40 Pd.	2.25
Sheff Smith	Pd.	7.90
Pro. for Co.	11-13-40, Pd.	2.50
Atty.		3.00

Merchants National Bank & Trust Co. By Pro. Campbell Vice Pres & Atty in fact.

Of No. 76 November Term, 1935 Apps. Doc.

Scire Facias to Revive and Continue the Lien of the above Judgment; Returnable to next term.

D page 105

Oct. 22, 1940 Statement of claim for revival filed. Copy certified.

Nov. 12, 1940, writ retd; Served the within Sci. Fa. to Revive Judgment, together with Copy of Statement of Claim, personally on Elmer L. DeVore, on Oct. 23, 1940 at 5:50 o'clock P. M. at his residence in the Borough of Conneaut Lake, Crawford County, Pa., by handing to him a true and attested copy of the within Sci. Fa. to Revive Judgment, together with Copy of Statement of Claim and making contents of same known to him.

So answers,

Bert A. King, Deputy Sheriff.

Harry B. Smith, Sheriff.

And now, Nov. 12, 1940, on motion of plaintiff's attorney, judgment is entered against the defendant and in favor of the plaintiff for want of an appearance and answer, and liquidated at the sum of five thousand two hundred four & 94/100 dollars, with costs of suit

Debt	$5204.94
Attys. comm. included	186.53

Interest from Oct. 24, 1940.

Judgment

Paul D. Slayton, Pro.

D page 105.

F. C. Kiebort, Jr. & Kent & Kent	Orville C. Robinson vs. I. T. Williams Issued Oct. 23, 1940	Summons in Trespass, Returnable to first Monday of November, 1940
	Tax & writ (paid) $ 2.00 Shff Smith (paid) 3.20 Pro. Slayton 5.35 Atty 3.00 13.55	Nov. 6, 1940, Kent & Kent appear for deft. (See paper filed) Dec 19, 1940. Statement of claim filed. Service accepted by Defts. atty. On Spring Trial List, 1941, No. 17. March 5, 1941, Jury selected and sworn March 6, 1941, On motion of Deft compulsory non suit allowed Per Curiam R. page 93 Judgment Paul D. Slayton, Pro.

Writ returned Mar. 15, 1941; Served the within Summons on I. T. Williams, on Nov. 4, 1940, at 3:31 o'clock P. M., at No. 360 Center Street, City of Meadville, Crawford County, Pa., by handing to him a true and attested copy of the within summons, and making contents of same known to him. So answers Nellie M. Shafer, Deputy Sheriff
Harry B. Smith, Sheriff.

F. Joseph Thomas 81	F. W Olson vs. Carl Olson Issued Oct. 23, 1940 $ Tax & writ (paid) 3.00 Shff. Smith (paid) 4.70	Replevin for sundry articles of household goods, furniture and equipment enumerated and described at length in the praecipe and narr, of the value of $300.00; Returnable to first Monday of November next. Oct. 23, 1940, Affidavit of value and narr filed. Oct 23, 1940, Bond of plaintiff, with Mrs Phoebe Maziarz as surety in the sum of $300.00, approved and filed.

Writ returned: Replevied as within commanded, Oct. 24, 1940, at 5:00 o'clock P.M., all of the within described goods and chattels, and summoned Carl Olson, the within named defendant, by handing to him personally at his residence on Morgan Street, West Mead Twp., Crawford County, Pa, Oct 24, 1940, a true and attested copy of the within writ, and making known to him the contents thereof. All goods and chattels so replevied were delivered to the plaintiff on October 26, 1940. So answers Harry B Smith, Sheriff.

F. C. Kiebort, Jr.	Frank E. Williams	Summons in Trespass
82	vs.	Returnable to the first Monday
Kent & Kent	I. T. Williams	of November, 1940.
	Issued Oct. 24, 1940	Nov. 6, 1940, Kent & Kent appears
	#	for Deft. (See paper filed)
	Jay & writ (paid) 2.00	Jan. 3, 1941, Statement of claim filed
	Stff. Smith (paid) 3.20	Service accepted.
	Pro. Slayton 5.35	On Spring Trial List 1941, No. 18.
	Atty 3.00	March 5, 1941, Jury selected and sworn
	13.55	March 6, 1941, On motion of Deft,
		compulsory non suit, allowed.
		Per Curiam.
	Vi. p. 114.	Judgment
		Paul D. Slayton, Pf

Writ returned Mar. 15, 1940: Served the within Summons on I. T. Williams, on Nov. 4, 1940, at 3:31 o'clock P. M., at 360 Center Street, City of Meadville, Crawford Coun Pa., by handing to him a true and attested copy of the within Summons, and making contents of sam known to him. So answers

Nellie M. Shafer, Deputy Sheriff
Harry B. Smith, Sheriff

Herbert A. Mook 83	Violette Mae Robinson vs. John Andrew Robinson Issued Oct 25, 1940. $ Tax & writ 12-18-40 paid 3.00 Shff. Smith (paid) 3.20	Subpoena in Divorce and for the custody of the two minor children of the parties, namely, Gloria Laetitia Robinson aged three years, and Autumn Maureen Robinson aged three months. And now October 25, 1940 the within petition presented and subpoena awarded, returnable to the first Monday of December, 1940. Per Curiam, O. Clare Kent, P.J.

Subpoena returned: Served the within Subpoena in Divorce on the Respondent personally on the 25th day of October, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above.
So answers Harry B. Smith, Sheriff.

84

Pennsylvania Rural Rehabilitation Corporation (to the use of the United States)

vs.

John Morey and Mabel E. Morey

Entered Oct. 25, 1940

Pro. Slayton 12/9/40 Fd. 2.25

Plff. on Original 1.75

Of No. 574 May Term 1935 D.S.B.

Agreement for Revival of Judgment

The defendants in the above stated judgment, originally entered in the amount of $379.00 plus costs, do hereby agree to revive the same amicably, in the sum of

dollars and costs, and do hereby authorize the Prothonotary of Crawford County to enter judgment of revival of the same upon the record, in favor of the United States of America, as plaintiff, with the same effect, and in all respects as if writ of Scire Facias, according to the Acts of Assembly, had been issued and served on the undersigned defendants, and judgment had been entered thereon in open Court.

Dated, October 25, 1940.

(Signed) John Morey
Mabel E. Morey

Debt $379.00

Interest

M page 154, 154.

Judgment
Paul D. Slayton, Pro.

Bryan, Joslin & Bryan Erie, Pa. Kent & Kent 85	W. J. Harrington, now to the use of Union Trust Company of Erie, Pa., now The Union Bank, Erie, Pa., vs. John A. Zuay. Issued Oct. 28, 1940 Pro. Slayton (paid) $2.25 Sheff. Smith (paid) 4.20 Pro. Slayton (paid 11/26/40) 2.50 Atty. 3.00 Original Costs: Bryan & Evans, Attys 8.50	Of No. 58, May Term, 1931, D. & B. Scire Facias to Revive and Continue the Lien of the above Judgment. Returnable to 2d Monday of November, 1940. 2 page 144 Oct. 28, 1940, Statement of Claim filed & copy certified. Writ returned: Served the within Sci. Fa. to revive Judgment, together with copy of Statement of Claim, personally on John A. Zuay, on Nov. 4, 1940, at 10:45 o'clock A. M., at No. 360 Center Street, City of Meadville, Crawford County, Pa., by handing to him a true and attested copy of the within Sci. Fa. to Revive Judgment, together with copy of Statement of Claim, and making contents of same known to him. So answers Harry B. Smith, Sheriff. And now, Nov. 26, 1940, On motion of plaintiff's attorneys, judgment is entered in favor of the plaintiff and against the defendant, for want of an affidavit of defense; and the same liquidated at the sum of Four hundred four and 13/100 dollars, with interest from Nov. 15, 1940, with costs of suit; attorneys' commission of 5% $19.25 included. (See paper filed) Debt $404.13 Attys' com. included, 19.25 Interest from Nov. 15, 1940 2 page 144. Judgment Paul D. Slayton, Pro.

W. J. Sirdevan
86

Feby. 11, 1941, Rec'd $33.10 costs.
P. D. S.
2-17-41 Rec'd 25 cents fee. Chas. B. Stegner master.

Shirley Althea Cook by her mother and next friend Mary E. Prosser, VS.
Lester Paul Cook
Issued Oct. 29, 1940
#

Tax & writ (paid)	3.00
Stff. Smith	
Charles B. Stegner, Master	25.00
Pro. for Co. 2-11-41. Pd.	8.10
Atty.	3.00

Subpoena in Divorce

And now, October 29, 1940, Subpoena awarded, Returnable to first Monday of December, 1940.

Per Curiam
O. Clare Kent, P. J.

Feby. 10, 1941, Subpoena retd: John M. Prather being duly sworn according to law says that he is Constable in and for the Second Ward of Titusville, Pa. that on the 19th day of November, 1940 at Titusville Crawford County, Pa., he personally served the within subpoena on Lester Paul Cook, the respondent within named, by handing to him personally and leaving with him a true and attested copy thereof and at the same time exhibiting to him the within original subpoena, reading the same to him and making known the contents thereof; that he knows the person so served to be the respondent named herein. (See Subpoena filed.)

And now, February 11th, 1941, Charles B. Stegner, Esq., is appointed Master as within moved. Per Curiam.

Feby. 17, 1941, Testimony and Report of Master filed.

On Drgt. List for Feby. Term, 1941, No. 42.

March 8, 1941, after due consideration a divorce is decreed as prayed for and the respondent, Lester Paul Cook, is ordered to pay the costs in this proceeding.

—Decree— Per Curiam.

And now, March 8, A. D. 1941 this cause came on to be heard on libel, subpoena, subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the court that the cause set forth in said libel are true it is by the court ordered adjudged and decreed, That the said Shirley Althea Cook, be divorced and for ever separated from the matrimonial ties and bonds of matrimony heretofore Contracted between the said Shirley Althea Cook the libellant and the said Lester Paul Cook the respondent: and that thereupon all and every the duties rights and claims accruing to either the said libellant or the said respondent and at any time hereafter in pursuance of said marriage shall cease and determine; And the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married.

Per Curiam.

J. Perry Eckels 87 Deft. pa.	Department of Public Assistance of the Commonwealth of Pennsylvania, vs. N. R. Merz, Administrator of the estate of Thomas Wentworth, deceased. Entered Oct. 29, 1940 Writ entry 1-6-41 pd, $.75 State tax .50	Summons in Assumpsit Returnable to second Monday of November next. Tr. p. 196; We. p. 92. Oct. 29, 1940. N. R. Merz, Administrator of the estate of Thomas Wentworth, deceased, deft. appears, and waives issuance and service of a Summons in the above entitled case, and accepts service of Summons in Assumpsit, as fully and effectually, as if the same were duly and regularly issued to the Sheriff of Crawford County and by him served upon said defendant, hereby releasing all errors (See praecipe)

G. Wayne Altenburg 88	Forest Kohrman vs. Dora Kohrman Issued Oct. 31, 1940 Tax writ (paid) $ 3.00 Shff. Smith (paid) 1.60 Shff. Smith, alias (pd) 1.60 Shff. Smith, Proc. (pd.) 11.15	Subpoena in Divorce, and for the custody of minor child, Marie Kohrman, aged 13 years. And now, this 31st day of October, 1940, Subpoena awarded; Returnable first Monday in December, 1940 Per Curiam, O. Clare Kent, P.J. Subpoena ret'd Dec. 2, 1940; Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff Dec. 4, 1940, Alias Subpoena in Divorce issued, returnable to first Monday of Jan. 1941 Alias Subpoena returned: Jan. 6, 1941, Non est inventus as to the within named respondent. So answers Harry B. Smith, Sheriff Jan. 7, 1941, Order for Proclamation in Divorce issued, returnable to next term. ----- I have made proclamation in the above entitled case according to law; and caused the same to be published in the Linesville Herald, Linesville, Pa., a newspaper printed within my bailiwick once a week for three successive weeks prior to return day thereof, as per copy of said proclamation and proof of publication attached. So answers, Harry B. Smith, Sheriff.

Charles B. Stegner

89

Charles B. Stegner waives the docket fee in connection with this judgment (see paper filed)

Titusville Trust Company

vs.

John Schwartz

Issued Oct. 31, 1940

Pro. Slayton 11/25/40, Pd. #		2.25
Shff. Smith (paid)		1.00
Pro. Slayton 12/2/40, Pd.		2.25
Atty		3.00
Former Costs:		
Plff.		4.00
Atty C.B.S		3.00

Of No. 90 November Term, 1935, Appdoc.

Scire Facias to Revive and Continue the Lien of the above Judgment; Returnable to next term. Sc. page 65

Nov. 14, 1940, Amicable Scire Facias and confession of judgment by John Schwartz, deft, filed

Same day, judgment of revival entered in favor of the plaintiff and against the defendant, for the sum of Five hundred eleven and 54/100 Dollars, with interest from October 31, 1940, with costs; with all the waivers and conditions contained in the original judgment note.

Debt #511.54

Interest from Oct. 31, 1940

Judgment

Paul D. Slayton, Pro.

Sc. page 65.

Writ returned Dec. 3, 1941: Now, Nov. 10, 1941, no service as to the within named defendant (Writ returned by order of plaintiff's attorney) So answers, Harry B. Smith, Sheriff.

V December 30, 1943 This judgment is Satisfied (see paper filed)

Kent & Kent

90

Petition for Correction of recorded deed of Anna M. Byham Recorded in the Recorders office, in Deed Book 242 page 211.

Entered Nov. 1, 1940

Pro Slayton (12/30/40 paid) 3.00

Nov. 1, 1940, Petition presented to Hon. O. Clare Kent, P.J. and filed Now, November 1, 1940, upon presentation and consideration of the within petition, Ray F. Smock, Recorder of Deeds of Crawford County, Pennsylvania is hereby ordered to amend Deed Book 242, page 211, to read as follows:

"All that piece, parcel or track of land known and described as lots Nos. 59 and 60 as shown on the amended map of the Irwin Subdivision made by L.R. Phillips, C.E. and filed in the Crawford County Recorders Office in Deed Book 230 of maps, at page 591, in May, 1923"

Per Curiam
O. Clare Kent,
President Judge.

(See petition filed)
Same day, Copy of petition and order certified.

Robert F. Kent + John J. Kent
F. Joseph Thomas, for Pet.

X

July 24, 1959, Final Account of Guardian filed showing an Excess of Credits over Receipts of $402.16, same day advertisement of Notice of Filing account sent to The Meadville Tribune stating that said account will be confirmed nisi on the third Monday of August next, and if no exceptions are filed within ten days of nisi confirmation said account will be confirmed absolutely Aug. 15, 1959 Proof of Publication filed.

and now, Aug. 28, 1959 no exceptions having been filed to the foregoing account the same is hereby confirmed absolutely

Paul D. Slayton, Prothy.

Final Account Record in Account Docket #6 Page 267.

Continued on Page 636

In the matter of the Estate of Barbara Kebort, a Person of Weak Mind

Record Continued from Page 22 Of No. 17 February Term, 1940

March 20, 1951, Bond of Guardian in the sum of Seventeen Thousand ($17,000.00) Dollars with United States Fidelity and Guaranty Company of Baltimore, Maryland as Surety approved by the Court and filed.

July 9, 1951, First and Partial Account of Guardian filed showing balance due the estate of $27,859.35. Same day advertisement of Notice of Filing Account sent to The Tribune Publishing Co, Meadville, Pa stating that said account will be confirmed nisi on fourth Monday of July next, and if no exceptions are filed within ten days of nisi confirmation said account will be confirmed absolutely.

July 26, 1951, Proof of Publication filed.

And now, August 3, 1951 no exceptions having been filed to the foregoing account, the same is hereby confirmed absolutely.

Paul D. Slayton
Prothonotary

March 8, 1955 Partial Account of Guardian filed showing balance due the estate of $25,257.87

Nov. 18, 1957, Partial Account of Guardian filed showing balance due the estate of $28,894.82.

Recorded Account Docket #6, Page 225

91

Amy Sterling
R. #1, Wyoming, Pa.
vs
W. A. Bunce
Entered Nov. 2, 1940

Pro. Slayton (Deft. pd)	$2.25
Costs brought forward:	
Plff. on original	1.75
Plff. 1st revival	2.25

Of No. 105 November Term, 1940 Amicable Scire Facias sur Judgment

It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the defendant; for the sum of Two hundred twenty & 75/100 Dollars, being the amount of debt, interest to Oct. 26, 1940 and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt	$220.00
Int. from Oct. 26, 1940,	
Judgment	
Paul D. Slayton, Pro.	

Oct. 31, 1945
Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Amy Sterling
Witness: Paul D. Slayton

Bu. page 5

92

Arvilla J. Clelland, Executrix of Seth Quick, deceased, and Arvilla J. Clelland
R. D. #1, Jamestown, Pa.
vs
V. L. Reagh
Entered Nov. 4, 1940.

Pro. Slayton (paid)	$2.25
Costs brought forward:	
Plff	6.00

Of No. 108 November Term, 1925, Amicable Scire Facias sur Judgment.

It is agreed That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendant by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiff and against the deft. for the sum of Three thousand one hundred eight & 93/100 Dollars, being the amount of debt, - no interest - and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Debt	$3109.93
Interest - no interest.	
Judgment	
Paul D. Slayton, Pro.	

R page 73

June 8, 1945
Received satisfaction in full of the above Judgment, Debt, Interest and Costs, and hereby authorize the Prothonotary to satisfy the same of record.
Arvilla J. Clelland
Executrix of Seth Quick
Witness:
Paul D. Slayton

Walter J. McClintock

93

Petition of Commissioners of Crawford County for approval of private sale to J.A. Mancuso, M.D. of 50 acres of land and buildings in Sparta Tp., which was assessed in name of Zebulend Burdick, and sold to said Comrs. at Treasurers sale for unpaid taxes, 1st Mon. Aug. 1931. Entered Nov. 4, 1940 Pro. Slayton $5.00

Now, Nov. 4, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of December, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford; and notice of said petition and order to be given to the School District of Sparta Township and the Supervisors of the Township of Sparta, being the taxing authorities; said notice to be served on them personally or by registered mail (See paper filed) Per Curiam.

Final Order: And now, December 2, 1940, at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms the County Commissioners are hereby ordered to make and deliver to the purchaser, J.A. Mancuso, of Meadville, Pa., a Commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. (See paper filed) Per Curiam O. Clare Kent, P.J.

Dec. 2, 1940. Proof publication of notice, and acceptance of service of copy of petition and order by School District and Supervisors of Sparta Tp., filed.

Walter J. McClintock

94

Petition of Commissioners of Crawford County for approval of private sale to J.A. Mancuso, M.D. of 240 acres of land + buildings in Sparta Tp., which was assessed in name of L.S. Clough, and sold to said Comrs. at Treasurer's sale for unpaid taxes on first Monday of Aug. 1933. Entered Nov. 4, 1940 Pro. Slayton $5.00

Now, Nov. 4, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of December, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford; and notice of said petition and order to be given to the School District of Sparta Township and the Supervisors of the Township of Sparta, being the taxing authorities; said notice to be served on them personally or by registered mail (See paper filed) Per Curiam.

Final Order: And now, December 2, 1940, at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchaser, J.A. Mancuso, of Meadville, Penna., a Commissioners deed for the proper conveyance of said land and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price. (See paper filed) Per Curiam, O. Clare Kent, P.J.

Dec. 2, 1940. Proof of publication of notice, and acceptance of service of copy of petition and order by School District and Supervisors of Sparta Tp., filed.

Walter J. McClintock

95

Petition of Commissioners of Crawford County for approval of private sale to Arvin R. Edwards and Eddie O. Edwards, of 161 acres of land, with building, in Oil Creek Tp., which was assessed in name of E. E. Francis, and sold to said Comrs. for unpaid taxes, at Treasurer's sale, on 1st Mon. of Aug. 1933
Entered Nov. 4, 1940
Pro. Slayton $5.00

Now, November 4, 1940, upon presentation and consideration of the within petition, the Court fixes the first Monday of December, 1940, at 9:30 o'clock A.M., or as soon thereafter as the attention of the Court may be had, for hearing upon said petition. Ten days notice thereof to be given by publication in one newspaper of general circulation published in the County of Crawford; and notice of said petition and order to be given to the School District of Oil Creek Township and the Supervisors of the Township of Oil Creek, being the taxing authorities; said notice to be served on them personally or by registered mail.
(See paper filed) Per Curiam.

Dec. 2, 1940, Proof of Publication of notice, and acceptance of service of copy of petition and order by the School District and the Supervisors of Oil Creek Tp. filed.

Final Order: And now, December 2, 1940, at 9:30 o'clock A.M. the time fixed for a hearing on the above petition, it appearing to the Court that no exceptions have been filed to said petition, and that publication has been duly made according to law, and after consideration of the same, it appearing to the Court that said sale should be made according to its terms, the County Commissioners are hereby ordered to make and deliver to the purchasers, David R. Edwards and Eddie O. Edwards, of R.D.#2, Titusville, Penna, a commissioners deed for the proper conveyance of said land, and to collect the purchase price therefor, and to pay all costs of this proceeding from said purchase price.
(See paper filed) Per Curiam.
O. Clare Kent, P.J.

Kent & Kent

96

Petition of Lloyd Koerning for Change of his name to Floyd Lewis
Entered Nov. 4, 1940
Pro. Slayton Fd 11/4/40 $5.00

Nov. 4, 1940, Petition presented in open Court & filed.
Now, November 4, 1940, upon presentation of the within petition and due consideration thereof, first Monday of January, 1941, at 9:30 o'clock A.M., is fixed for a hearing on the within petition; and the Court directs that notice of the same shall be published in two newspapers within the County, once a week for three successive weeks.
(See paper filed) Per Curiam.

Now, Dec. 4, 1940, the hearing set for Jan. 6, 1940, at 9:30 o'clock A.M., in this proceeding is hereby continued until Feb. 3, 1941.
(See paper filed) Per Curiam.

Feb. 3, 1941. Proofs of publication of notice, and final decree, filed.

Final Decree: Now, February 3, 1941, upon hearing of the petition of Lloyd Koerning at No. 96 November Term, 1940, upon which a preliminary order providing for publication and notice and fixing date of hearing, was issued by this Court under date of November 4, 1940, and upon motion of Kent & Kent, attorneys for petitioner, and upon presentation of proof of publication of notices as required by law, together with proof that there are no judgments or decrees of record, or any other matter of like effect against the petitioner, and it appearing that there is no legal objection to the granting of the prayer of the petitioner, it is hereby ordered and decreed that the name of the petitioner be and is hereby changed to Floyd Lewis.
(See paper filed) Per Curiam
Same day, Certified copy of decree issued. O. Clare Kent, P.J.

Leland J Culbertson
97

Dec. 2, 1940, Rec'd $35.00 costs.
A. D. S.
Feb. 22, 1941 - Rec'd $35.00,
Masters Fee in full.
Faris J. Thomas,
Master.
Prip. $190 costs from P.D.S. Mfb.

Bertha I. Mellon
vs.
George Mellon
Issued Nov. 4, 1940

Tax & writ	12/30/40. Pd.	$3.00
Shff. Smith	Pd.	4.90
Faris J. Thomas, Master		25.00
Pro. for Co. 12-3-40.	Pd.	8.10
Atty.		3.00

Subpoena in Divorce
And now, Nov. 4, 1940, Subpoena awarded, Returnable to first Monday of January, 1941.
Per Curiam,
O Clare Kent, P.J.

Dec. 3, 1940, Subpoena retd.; Served the within Subpoena in Divorce on the Respondent, personally on the 18th day of Nov. 1940 by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit. So answers,
Harry B. Smith, Shff.

And now, December 2nd, 1940 Faris J. Thomas, Esq., is appointed Master as prayed for,
Per Curiam

Feby. 22, 1941, Testimony and Report of Master filed.
On Argt. List for Feby. Term, 1941, No. 52,
March 14, 1941, After due consideration a divorce is decreed as prayed for and the respondent, George Mellon, is ordered to pay the cost of this proceeding.
Per Curiam.

—Decree—
And now to wit, March 14. A.D. 1941 this cause came on to be heard on libel subpoena subsequent proceedings and evidence therein duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true & it is by the Court ordered adjudged and decreed. That the said Bertha I Mellon be divorced and for ever seperated from the nuptial ties and bonds of Matrimony heretofore contracted between the said Bertha I Mellon the libellant and the said George Mellon the respondent and that there upon all and every the duties rights and claims accruing to either the said libellant or said respondent at any time heretofore in pursuance of said Marriage shall cease & determine and said libellant and respondent shall severally be at liberty to marry again as if they had never been married
Per Curiam.

Kenneth W. Rice
98

Imogene Barr
vs.
Colvin Barr
Issued Nov. 4, 1940

Tax writ 11-8-40 Pd. $3.00
Shff Smith (paid) 3.20
John C. Spencer, Master 25.00
Bro. for Co. 2-17-41, Pd. 8.10
Atty. 3.00
42 .30

Subpoena in Divorce
And now, Nov. 4, 1940, Subpoena awarded, Returnable to the first Monday of January, 1941.
Per Curiam,
O. Clare Kent, P.J.

Subpoena returned:—
Served the within Subpoena in Divorce on the Respondent personally, on the 21st day of November, 1940, by delivering to him a true and attested copy of the same, and making known to him the contents thereof, as appears from affidavit as above. So answers
Harry B. Smith, Shff.

And now, February 17, 1941, John C. Spencer, Esq., is appointed Master in the above entitled case. Per Curiam.
Feby. 22, 1941, Testimony and Report of Master filed.
On Drgt. List for Feby. Term, 1941, No. 54.
March 14, 1941, after due consideration a divorce is decreed as prayed for and the respondent, Colvin Barr, is ordered to pay the cost of this proceeding. Per Curiam.

—Decree—

And now to wit: March 14-A.D. 1941 this cause came on to be heard on libel subpoena subsequent proceedings and evidence there in duly taken and filed of record and it appearing to the court that the causes set forth in said libel are true it is by the court ordered adjudged & decreed. That the said Imogene Barr be divorced and forever separated from the nuptial ties and bonds of Matrimony heretofore contracted between her the said Imogene Barr the libellant and the said Colvin Barr the respondent; and that thereupon all and every the duties, rights and claims accruing to either the said libellant or the said respondent at any time hereafter in pursuance of said marriage shall cease and determine: And the said libellant and respondent shall be at liberty to marry again as if they had never been married before.
Per Curiam.

April 10, 1941, Notice of Libellant of her election to retake and hereafter use and resume her maiden name of "Imogene Consider", filed.

Feby. 17, 1941, Recd $35.00 Costs P.D.S.

February 22nd 1941 Received Twenty-five dollars Master's Fee in the above entitled case.
John C. Spencer

3-19-1941 Received 1/2 Refund on Costs
K. W. Rice
Atty for Libellant

99

In re Report and Return of Mrs. Ralph B. Brown, Treasurer of Crawford County of sale of seated land and property advertised to be held Aug. 5, 1940, and adjourned until Oct. 2, 1940.
Entered Nov. 7, 1940
1
Pro. Slayton 5.00

Nov. 7, 1940. Report and Return presented in open Court, and filed.

Now, Nov. 7, 1940, upon the presentation, and due consideration of the within report and return, and it appearing to said Court that such sale has been regularly conducted under the provisions of the Act of Assembly in such cases made and provided, the said Report and sale so made is confirmed nisi, and after notice of filing the said report and return being duly published by the County Treasurer in accordance with the law, if no exceptions are filed thereto within sixty (60) days after the date of filing of the same, said report and return be confirmed absolutely.

Per Curiam
O. Clare Kent, P.J.

Nov. 7th, 1940, Proof of Publication attached to report and filed.

100

G. W. Baird, now use of W. K. Baird
vs
Park Lindsey and L. R. Lindsey, also known as Roy Lindsey
Entered Nov. 8, 1940

	#
Pro. Slayton (paid)	2.25
Plff at No. 368 Nov. T. 1929	1.75
Plff at No. 184 Feb. T. 1935	2.25

Of No. 184 February Term, 1935 Aff. Doc.
Amicable Scire Facias sur Judgment.
It is agreed That the Prothonotary of said Court enter, an Amicable Scire Facias upon the above judgment, with the same effect, as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said County, and duly so returned; and that a judgment be entered thereon, in favor of the plaintiff and against the defendants, for the sum of Two hundred sixty-nine and 13/100 Dollars, being the amount of debt, interest to January 28, 1935, and costs now due on the original judgment; with all the waivers and conditions contained in the original judgment note.

Dated - - - - - - - - 19- -

Signed, Sealed and Delivered in presence of (No witnesses' signatures)

Sgd Park Lindsey (Seal.)
Sgd Roy Lindsey (Seal)

Debt # 269.13
Interest from Jan. 28, 1935
L. page 50, 50. Judgment
Paul D. Slayton, Prothy

Sept. 16, 1947, This Judgment is Satisfied (see paper filed)

J. Perry Eckels
101

Margaret Iona Hess
vs.
Leslie James Hess
Issued Nov. 8, 1940

Tax & writ (paid) 3.00
Shff Smith (paid) 3.20
Kenneth Rice, Master 25.00
Pro. for Co. 1-14-41. Pd. 8.10
Atty. 3.00

Subpoena in Divorce and for the custody of two minor children, to wit Margaret Diane Hess aged five years, and Henry D. Hess aged three years.

And now, Nov. 7, 1940, the within petition presented in open Court, and Subpoena awarded, returnable to the first Monday of January, 1941.

Per Curiam,
O. Clare Kent, P.J.

Subpoena ret'd: Served the within Subpoena in Divorce on the Respondent personally, on the 16th day of Nov. 1940, by delivering to him a true and attested copy of the same, and making known to him the contents the contents thereof, as appears from affidavit as above.

So answers Harry B. Smith, Sheriff.

Jan. 13, 1941, Rec'd $35.00 costs.
P. D. S.

Feb 18, 1940 Rec'd $25.00 Master's fee
Kenneth W. Rice
Master

And now, Jan. 13, 1941, Kenneth Rice, Esq., is appointed Master to take testimony in the above entitled case and make report thereon to the Court.

Per Curiam.

March 20 1941
Read & O'd & upon

Feby. 18, 1941, Testimony and Report of Master filed.

On Argt. List for Feby. Term, 1941, No. 31.

March 6, 1941, After due consideration a divorce is decreed as prayed for, the respondent is ordered to pay the costs of this proceeding and the custody of minor children, Margaret Diane and Henry D. Hess is awarded to libellant, Margaret Iona Hess. Per Curiam.

—Decree—

And now, to wit: March 6-A.D. 1941 this cause came on to be heard on libel, subpoena, subsequent proceedings, and evidence thereon, duly taken and filed of record and it appearing to the Court that the causes set forth in said libel are true, it is by the Court ordered adjudged and decreed, That the said Margaret Iona Hess be divorced and for ever seperated from the nuptial ties and bonds of matrimony here to fore contracted between her the said Margaret Iona Hess, the libellant, and the said Leslie James Hess, the respondent: and that there upon all and every the duties rights and claims accruing to either the said libellant or the said respondent, at any time hereto fore in pursuance of said marriage shall cease and determine, and the said libellant and respondent shall severally be at liberty to marry again in like manner as if they had never been married. It is further ordered and decreed that the custody of minor children, Margaret Diane and Henry D. Hess is awarded to libellant Margaret Iona Hess.

Per Curiam

J. Perry Eckels 102 F. Joseph Thomas (See affx. of defense)	Great American Indemnity Company, New York, N.Y. vs. James Frisk, surviving partner of Frisk Brothers, Meadville, Pa. Entered Nov. 8, 1940 Tax & entry (11/9/40 paid) # 1.50 Costs on Trans (paid by Pltff) 7.85	Appeal by Defendant from Judgment of D.G. MacFarnaghan, Esq. Alderman. And now, Nov. 9, 1940, J. Perry Eckels, Esq., accepts notice of appeal. (See paper filed) Feb. 14, 1941, Statement of Claim filed Service accepted by Defts Attorney. July 5, 1941, Affidavit of defense filed Service accepted by Pltffs Atty. Aug. 4, 1941, Petition for security for costs filed; Order; And Now, Aug. 4, 1941, on filing the within affidavit of defendant and on motion of F. Joseph Thomas, attorney for defendant, a rule is hereby granted on the plaintiff to show cause why it should not give security for costs. Returnable sec. leg. and sec. reg. All proceedings to stay meanwhile. Per Curiam, O. Clare Kent, P.J.

Paul E. Thurston.

103

Trustees of the First National Bank of Conneaut Lake, Penna.

vs.

Marvin Lynce and Mary E. Lynce.

Entered Nov. 9, 1940

#

Pro Slayton (Paid) 2.25
Original Costs.
P.L.J. 1.75
Atty Paul E. Thomas 3.00

Of No. 126 November Term, 1935 D.S.C.

Amicable Scire Facias sur Judgment.

It is agreed, That the Prothonotary of said Court enter an amicable Scire Facias upon the above judgment, with the same effect as if a Scire Facias to revive the same had been regularly issued, served personally on the defendants by the Sheriff of said county, and duly so returned; and that a judgment be entered thereon in favor of the plaintiffs and against the defendants, for the sum of Six Hundred Eighty and 87/100 Dollars, being the amount of debt, interest to November 15, 1940, and costs now due on the original judgment, with all the waivers and conditions contained in the original judgment note.

Dated Nov. 4, 1940

Signed, Sealed and Delivered in presence of
Harry C. Lewis
Justice of the Peace.

Signed: Marvin Lynce (Seal)
Mary E. Lynce (Seal)

My commission expires Jan. 1, 1946
(Seal of Office)

And now, Sept 19, 1941, this judgment having been paid in full the Prothonotary is directed to satisfy the same of record.

Paul E. Thurston
Atty for P.J.
attest Paul D. Slayton Pro.

Debt # 680.87
Interest from Nov. 15, 1940
Judgment Nov. 9, 1940.
Paul D. Slayton, Prothy

L. page 79, 79.

Herbert A Mook

X

In the Matter of the estate of Albert K. Perkins, a person of weak mind

Record Continued from page 225 of No. 62 May Term, 1940

Order sur Return of Sale:

Now, October 7, 1940, upon presentation of the foregoing petition, together with exhibits hereto attached, it appearing that the facts set forth therein are true and correct, the prayer thereof is granted, and the sale of said premises is hereby confirmed nisi, to be finally confirmed in ten (10) days, if no exceptions are filed thereto in the meantime; and upon final confirmation of said sale, the said Maurice Harned, Guardian of the estate of Albert K. Perkins, a person of weak mind, is hereby ordered and directed to make, execute, and deliver to Charles B. Herber and Margaret W. Herber, his wife, of 2015 Duss Avenue, Ambridge, Pennsylvania, a good and sufficient deed for the following property:-

All that certain piece or parcel of land situate in the Borough of Conneaut Lake, Crawford County, Pennsylvania, bounded and described as follows: On the north by Water Street, a distance of 51½ feet; on the east by land of Mabel Kemmitzer, a distance of 181 feet; on the South by Strawberry Alley, a distance of 60 feet; and on the west by land of Eaton, formerly Peter McHenry, a distance of 80 feet, and by land of P. & O. Harned, a distance of 101½ feet; and having erected thereon a frame dwelling house.

Said sale to have the effect of a judicial sale, as to the discharge of liens upon the said real estate, and said purchase money to be accounted for by the said Guardian in the settlement of his account as such. Bond first to be entered in the sum of $4050/=.

Per Curiam,
O. Clare Kent, P.J.

(See Return of Sale filed)

Nov. 26, 1940, Exceptions dismissed, and Return of Sale confirmed finally.

(See Courts Argument List) Per Curiam.

Dec. 21, 1940, Petition of Guardian for leave to pay liens, presented to O. Clare Kent, P.J. and this order made:-

Now, December 21, 1940, upon presentation of the foregoing petition, it appearing that the facts set forth therein are true and correct, an order is hereby entered authorizing Maurice Harned, Guardian of the estate of Albert K. Perkins, a person of weak mind, to pay the following debts of his ward Albert K. Perkins, which are entered as liens of records in the Court of Common Pleas of Crawford County, Pennsylvania, as follows:-

(Continued on next page)

No. 62 May TERM, 1940

Continued from preceding page

Order of Dec. 21, 1940, Continued:—

Two (2) judgments:

(a) Commonwealth of Pennsylvania, Department of Public Assistance
No. 292 February Term, 1940
Amount $432.60

(b) W. A. Clark
No. 307 November Term, 1940
Amount $58.76

Taxes:

(c) Ruth M. Brown, Treasurer of Crawford County
1938 taxes $50.54
1939 taxes 59.85
Total $110.39

(d) Marie Tate Collector of taxes for the Borough of Conneaut Lake, Pa.
1940 taxes $54.60

(See paper filed) (Signed) Per Curiam,
O. Clare Kent, President Judge

Aug. 4, 1941, Petition for leave to pay debts filed;

Order: Now, August 4, 1941, upon presentation of the foregoing petition, it appearing that the facts contained therein are true and correct and it appearing that there are no other creditors, or any person or persons who have any claims whatsoever upon the estate of Albert K. Perkins a person of weak mind, except those listed in the within petition, and

It appearing that the said creditors, whose names are listed, having agreed to accept their pro rata share of the monies remaining in the hands of Maurice Harned, Guardian of the Estate of Albert K. Perkins, the said Maurice Harned, Guardian of the Estate of Albert K. Perkins is hereby authorized and empowered to pay from the monies remaining in his hands to the following persons, creditors of the Estate of Albert K. Perkins, the sums hereinafter set forth following their names, to wit:

G. E. Hayward, M. D.	$ 87.37
Meadville City Hospital	191.39
G. J. Waggoner, M. D.	83.29
Kathryn Kiser	25.91
Mrs. Minnie Klingensmith	2.96
D. C. Rhodes	166.59
Conneaut Lake Boro	23.96
Ralson's Hardware	.57
Shontz & Company	3.14
Total	$ 585.18

said amounts being the actual pro rata share of each creditor of the amount of monies remaining in the hands of the said Guardian. Said Guardian to obtain a Release and receipt from each and every of the said creditors in full settlement of their account with the Estate of the said Albert K. Perkins.

Per Curiam,
O. Clare Kent, P. J.

Continued next page.

No. 62 May TERM, 1940

Continued from preceding page.

Dec. 17, 1941, Final account of Maurice Harned, Guardian filed, showing no balance due the estate. Same day advertisement of Notice of Filing Account mailed to Conneaut Lake Breeze, Conneaut Lake, Pa., stating that account will be confirmed nisi on the second Monday of January next, and if no exceptions are filed within ten days of Nisi confirmation, said account will be confirmed absolutely.

Jan. 23, 1942, Proof of publication filed.

And now, Jan. 23, 1942, no exceptions having been filed to the above account, said account is confirmed absolutely.

Paul D. Slayton,
Prothonotary.

Account recorded in account Docket No. 5,

Charles B. Stegner J. Berry Eckels vs Herbert E. Varnum Thomas F. Kiebort	Harrison Construction Company vs Joseph W. Gray, City Controller of the City of Titusville	Record Continued from page 281. "Since the reargument we have carefully reviewed the pleadings and record, no testimony having been taken by any of the parties in interest, and in the light of the law and decisions quoted, we are not convinced that we erred in our conclusions of law or the order entered. Wherefore, we can but affirm the same and direct that the order of November 20, 1940, stand as entered." (See opinion of Court filed.) Per curiam

Peters & Brather	6 R. Mellor	Record Continued from page 362.
X	vs	
F. Joseph Thomas	Helen Randall Executor of the estate of John James Atkins, deceased	June 10, 1941 Bond of plaintiff with Tom J. Costello and Neil D. Peters as surety, in the sum of $200.00, approved by the Court and filed.
		And now, to wit, July 7, 1941, on motion in open Court, amendment allowed to second paragraph of the statement of claim.
Service accepted)		(See paper filed) Per Curiam.
On Arg'r. List for Nov. Term, 1941, No. 7.		
		Nov. 24, 1941, Affidavit of defence in nature of a demurrer is dismissed and the defendant is ordered to file an affidavit of defense within 30 days from this date. Per Curiam.
		And now, December 26, 1941, on praecipe of plaintiff's attorney judgment is hereby entered in favor of the plaintiff and against the defendant for want of an affidavit of defense and liquidated at the sum of Two hundred forty-four & 47/100 Dollars, with costs of suit.
		Debt $244.47
		Interest from Dec. 26, 1941.
		Judgment
R. page 145; A. page 92.		Paul D. Slayton, Prothy.

Raymond L Miller X	In re Appointment of a Trustee for Arthur Shaffer an alleged Absentee: J.H. Allison, Trustee	Record Continued from page 650 Sept. 29, 1941, Petition of J.H. Allison, Trustee for discharge as trustee and the surety on his bond, together with Final Account of said Trustee; (b) Approval and ratification thereof by Arthur Shaffer; (c) Receipt and release to said trustee and consent of Arthur Shaffer to such discharge, presented to Hon O. Clare Kent, P.J., and filed. Order: And now, this 29th day of September, 1941, upon consideration of the within petition, and upon Arthur Shaffer having duly presented himself, and after hearing, satisfied the Court that he is the Arthur Shaffer, an alleged absentee, for whom J.H. Allison of Cochranton, was appointed Trustee on March 1, 1940, and the said Arthur Shaffer having approved the account of J.H. Allison, Trustee of the estate of the said Arthur Shaffer, and also given a receipt and release to the said J.H. Allison for the balance remaining in the hands of the Trustee, to wit the sum of Three hundred sixty-eight and eighty hundreths dollars ($368.80), J.H. Allison is hereby discharged from all further duties and further liabilities of his appointment, and his surety discharged from any and all further liabilities at the same time. Per Curiam O. Clare Kent, P.J.
Robert F. Kent & John D. Kent F. Joseph Thomas, for Pet.	In The Matter of The Estate of Barbara Hebert a Person of Weak Mind	Record Continued from Page 620 of No 17 February Term 1940 October 29, 1959 Petition for Discharge filed. Order: And Now October 29, 1959 upon consideration of the annexed petition Wesley Reitze is discharged as guardian of the estate of Barbara Hebert, and he and his sureties are released from further liability on the bond given by them on his appointment. Per Curiam Hebert A. Rook President Judge.

J. Berry Eckles x Raymond L. Miller for Deft Paul E. Thomas for Garn	Lucy L. Rizer vs L. L. Burford, Deft. and First National Bank at Conneaut Lake, Pa., Garnishee	Record continued from page 527, of No. 231, September Term, 1940 Nov. 13, 1941. Answers of Garnishee to the interrogatories, filed. June 9, 1942. Answer to additional interrogatories by Raymond L. Miller, Attorney for defendant, filed. Service by copy accepted by J. Berry Eckels, atty. for Plff. July 24, 1942. Pluries Attachment Execution issued, naming Mrs. W. A. Burford as Garnishee; Returnable to first Monday of August next. Sept. 5, 1942. Supplemental Interrogatories to Mrs. W. A. Burford, Garnishee, filed. Service by copy accepted by Raymond L. Miller, Esq., as Attorney for Deft. and for Mrs. W. A. Burford, garnishee. Oct. 2, 1942. Answers of Mrs. W. A. Burford, Garnishee to Supplental Interrogatories filed Sept. 5, 1942,- filed. And now Dec. 3, 1942, this case settled and discontinued of record. J. Berry Eckels Attorney for Plaintiff. Pluries Att. Ex. retd Dec 4, 1942:- Attached as within commanded July 27, 1942, at 7:30 P.M. summoned Mrs. W. A. Burford, Garnishee; and 7/25/42, served deft. For return at length, see writ. So answers Bert A. King

Herbert A. Mook X	Mary Ann Mushrush vs. Dewey V. Mushrush	Record Continued from page 47. Attachment for Contempt returned.- "March 8, 1941, As within I am commanded, I have the body of Dewey V. Mushrush in my custody and on March 9, 1941, by order of Herbert A. Mook, Attorney, he was released from my custody." So answers Harry B. Smith, Sheriff. Sept. 28, 1943 Affidavit of Libellant of default, filed.

Stuart A. Culbertson

X

Thomas & Kiebort
Annes & Kiebort.

Peter Gourley and Minnie Gourley, his wife,
vs.
Grace Boyle

Record Continued from page 325.

June 18, 1942, Opinion of Court in motions for judgment N.O.V. and for the granting of a new trial filed concluding with this order:-

Now, June 18, 1942, defendant's rule to show cause why judgment non obstante veredicto, as to the plaintiff Peter Gourley, should not be entered, granted March 15, 1941, is hereby made absolute, and the Prothonotary is directed to enter judgment on the verdict accordingly.

Per Curiam,
O. Blare Kent, P.J.

(See opinion filed)

And now, June 18, 1942, In compliance with the direction of the Court in the foregoing order, judgment is hereby entered upon the whole record, for the defendant, Grace Boyle and against the plaintiff, Peter Gourley.

G. page 78.

Judgment
Paul D. Blayton, Prothy.

And now, July 15, 1942, the death of Peter Gourley, one of the plaintiffs in the above entitled case, is suggested, and Minnie Gourley, Admx. of the estate of said Peter Gourley, decd, is substituted as plaintiff, the said Peter Gourley, decd intestate on July 5, 1942, and his widow, Minnie Gourley, the other plaintiff, having been issued letters of administration on the estate of Peter Gourley, deceased, on July 15, 1942.

(See paper filed.)

July 17, 1942. Certiorari on appeal by Minnie Gourley, widow of and administratrix of the estate of Peter Gourley, deceased, from order and decree of the Court in this case, to the Supreme Court, filed, returnable to 5th Monday of November, 1942, being numbered in said Court, 243, Jan. Term, 1942.

And now, July 20, 1942, Annes & Kiebort, Meadville, Penna, appear for defendant, and accept service of notice of appeal to the Supreme Court. (See paper filed.)

Aug. 6, 1942. Acceptance of notice of taking appeal to Sup. Ct. by Hon. O. Blare Kent, P.J. filed.

January 19, 1943. Record returned and Remittitur from the Supreme Court and copy of its Per Curiam opinion filed. "January 4, 1943. Judgment affirmed."

August 24, 1942
I hereby acknowledge payment in full of the verdict and interest in favor of Minnie Gourley vs Grace Boyle and authorize the Prothonotary to satisfy the same of record.
Stuart A. Culbertson
Atty for
Minnie Gourley.

Stuart A. Culbertson
Kent & Kent
X

In re Estate
of
Inez A. Hall, an
alleged weak-minded
person.

Record continued from page 651
Of
No. 38 February Term, 1940

Jan. 5, 1942, Petition for leave to sell real estate at private sale filed;

Order: And now, January 5, 1942, the Court being of the opinion that the proposed sale will be to the interest and advantage of the said Inez A. Hall, and can be made without prejudice to any trust, charity or purpose for which the real estate is held and without violation of any law which may confer an immunity or exemption from sale or alienation, and that the price or sum of Six Hundred Dollars ($600.00) is a good and sufficient price, and a better price for the said premises than can be obtained at public sale, It Is Ordered And Decreed That the said Crawford County Trust Company, Guardian of the estate of Inez A. Hall, a person of weak mind, make sale of the premises located in the township of Greenwood, Crawford County, Pennsylvania, bounded and described as follows;

"On the north by a public road; on the east by lands now or formerly of Wesley Steadman and L. R. Abbott; on the south by land now or formerly of David L. Williams, and on the west by land formerly of C. N. Adsit, James Carman and Smith J. Robb, and same containing 53 acres of land more or less,"

to the United States of America, for the price or sum of Six Hundred Dollars ($600.00) cash to be paid upon delivery of a deed, said deed to be in fee simple for the above described premises, said title to be indefeasible by any party or person having a present or expectant interest therein and unprejudiced by any error in the proceedings of the Court. Bond to be furnished by the Crawford County Trust Company, Guardian of Inez A. Hall in the sum of $1200.00 to be approved by the Court.

Per Curiam,
O. Clare Kent, P. J.

Feb. 17, 1942, Petition of Guardian for decree of specific performance of contract for sale of land presented to O. Clare Kent, P. J. and filed.

And now, February 17, 1942, upon consideration of the foregoing petition, and on motion of Kent & Kent, and Stuart A. Culbertson, Attorneys for petitioner, specific performance of the contract of sale set forth in the annexed petition, is decreed, and Minnie Abbott, the grantee in said Article of Agreement, is directed to pay unto the Crawford County Trust Company, Guardian of Inez A. Hall, a person of weak mind, the balance of the purchase money, to wit, Eight Hundred ($800.00) Dollars, in accordance with the terms of said agreement, and the said Crawford County Trust

Company, Guardian of the said Ines A Hall, a person of weak mind, is directed to execute and deliver to the said Minnie Abbott, a deed of conveyance in fee simple for all that certain piece or parcel of land situate in Greenwood Township, Crawford County, Pennsylvania, bounded and described as follows, to wit:

"On the north by lands of Lafayette Bossard and Wesley Steadman; on the east by lands of Hudson Carroll and O F Abbott; on the south by land of David L. Williams; and on the west by land of Smith Grinnell and Wesley Steadman, containing 71½ acres, more or less,"

said deed to have the same force and effect as if the same had been executed by the said Ines A Hall prior to the time she was adjudged a person of weak mind, and the petitioner appointed her guardian.

Security to be entered by the said Crawford County Trust Company of Meadville, Pennsylvania, Guardian, in the sum of $1600.00, to be approved by the Court.

Per Curiam,
O Clare Kent, P.J.

(See petition filed.)

Aug. 20, 1942, Bond of Crawford County Trust Company Guardian for estate of Ines A Hall, in the sum of $1600.00, approved by Hon. O Clare Kent, P.J. & filed.

April 19, 1943, Final Account of Guardian filed showing balance due estate of twenty four thousand five hundred forty-three and 18/100 ($24,543.18) dollars. Same day advertisement of Notice of Filing Account sent to Tribune Publishing Co, Meadville, Pa, stating that said account will be confirmed nisi on the second Monday of May next, and if no exceptions are filed within ten days of nisi confirmation, said account will be confirmed absolutely.

May 5, 1943, Proof of publication filed.

And now, May 21, 1943, no exceptions having been filed to the above mentioned account, the same is confirmed absolutely.

Paul D. Slayton,
Prothonotary

July 25, 1944, Final Account of Crawford County Trust Company, Guardian, filed, showing balance due estate of $22,695.56. Same day, advertisement of Notice of Filing Account sent to Tribune Publishing Company, Meadville, Pa, stating that said account will be confirmed nisi on the Second Monday of August next, and if no exceptions are filed within ten days of nisi confirmation, said account will be confirmed absolutely.

Aug. 11, 1944, Proof of publication filed.

Aug. 25, 1944, No exceptions having been filed to the above final account, the same is hereby confirmed absolutely.

Paul D. Slayton, Prothonotary.

In re Petition of Commissioners of Crawford County to establish title to land in Athens Tp. late of Wm. C. Kimebaugh

Record Continued from page 641.

south 84 degrees east, seventy-four and eight tenths rods, crossing the west branch of Oil Creek, to a post in the west line of land of the Ross estate; thence along the west line of said land of the Ross estate, south 4 degrees 30 minutes west, forty-five and eight tenths rods to a post; thence west twenty and eight tenths rods to the center of Oil Creek; thence along the center of said creek southwardly to the point the place of beginning; containing One hundred forty-three and forty-two one hundredths (143.45) acres of land be the same more or less.

Title to the above described land is held by said Commissioners subject to mortgage of Wm. C. Kimebaugh to Edna L. Van Matre dated January 13, 1917 recorded January 23, 1917 in Mortgage Book 94 page 123 to secure a debt of $2500.00, payable in three years with interest.

II.

All that certain piece or parcel of land situate in Athens Township, Crawford County Pennsylvania bounded and described as follows, to wit: Beginning at a point in the center of the west branch of Oil Creek, at or near the point where the north line of the "Gore", so-called, crosses said creek; thence south 84° 35' 15" east, twenty-four rods to a post; thence north 6° 28' 50" east along lands of J. Process, ninety-two and eighty-four one hundredths rods to a post; thence north 84° 35' 15" west by other land of the said J. Process, one hundred twenty-four and eighteen one hundredths rods to a post; thence south 6° 28' 50" west by land formerly of W. C. Kimebaugh, now of Williams, and crossing the said West branch of Oil Creek, also public road and old railroad bed one hundred thirteen and ninety-four one hundredths rods to an iron pipe; thence north 83° 24' 35" west by other lands formerly of said W. C. Kimebaugh, now of Williams, one hundred sixty-eight and forty one hundredths rods to a post; thence South 10° 10' 45" west, forty-two and sixty-five one hundredths rods to a chestnut tree in the south line of the said "Gore"; thense south 86° 50' 5 east by same along lands of Charles Kimebaugh and Elem Stewart, one hundred sixty-six and twelve one hundredths rods to a post; thence South 84° 36' 50" east along lands of J. P. Gaines and Fielding, and crossing said old railroad bed and public road, one hundred fifteen and thirty-one one hundredths rods to a point in the center of Oil Creek, thence in a northerly

direction along the centre of said creek, to the point the place of Beginning, Containing one hundred forty-seven (147) acres, one hundred six (106) rods.

The foregoing parcel of land is also described of record as follows: Bounded on the north by lands now or formerly owned by J Brady Ferry and other lands of Wm. C. Himebaugh; on the East by land now or formerly owned by J Brady Ferry and Darius Boyles; on the South by land of Harry Fielding, James Hadshaw, Stuart lands of Charles Himebaugh; on the west by lands of Blakeslees heirs. Containing one hundred fifty (150) acres of land, with a large bank barn, dwelling house and other buildings, known as the Clark Oil Company Tract.

Title to the above described land is held by said Commissioners, subject to mortgage of W. C. Himebaugh to John R. Reed dated February 2, 1917, recorded March 2, 1917, in Mortgage Book 94 page 160, to secure a real debt of $2200.08, payable in three years, with interest.

(See paper filed)

Per Curiam,
O. Clare Kent,
President Judge.

Peters & Brother

In re Petition of Bertha H. Graham for Satisfaction of Mortgage given by Jesse J. Smith to Sarah A. Jones, recorded in Mortgage Book No. 93 page 279

Record Continued from page 544

dated April 22, 1915, and recorded August 21, 1915, in Crawford County Mortgage Book 93, page 279, to secure the payment of $1200.00, on all that certain piece or parcel of land situate in the Township of Troy, Crawford County, Pennsylvania bounded and described as follows, to wit:

Beginning at a post in the southeast corner of tract (being the southeast part of Donation Tract, No. 1379), thence by south line of said tract south eighty-five and three fourths (85-3/4) degrees west one hundred eighty (180) rods to a post in the center of public road; thence north by said road forty-four and one half (44-1/2) rods to a post in said road; thence north eighty-five and three fourths (85-3/4) degrees east one hundred eighty (180) rods to a post in the east line of tract; thence south by said line forty-four and one half (44-1/2) rods to the place of beginning; containing fifty (50) acres of land, more or less, with dwelling house thereon,-

upon the payment of any costs due relative to the entry of said mortgage or any proceedings thereon,- which said satisfaction, so entered, shall forever thereafter defeat, release and discharg said mortgage as to the land above described, and shall likewise bar all actions brought or to be brought thereon, as fully and effectively to all intents and purposes as if the satisfaction had been entered by the legal holder or holders thereof.

Per Curiam,
O. Gilbare Kent, P.J.

(See paper filed)
Oct. 7, 1940, Certified copy of decree issued for recording.

Kenneth W. Rice	Eleanor Deitz, a minor by August Deitz, her guardian and August Deitz, in his own right vs. Paul Sivik	Record Continued from page 106.
Donald G. Thompson		Aug. 6, 1940, Sheriffs return filed, of service of copy of petition and order of April 1, 1940, with copy of plaintiffs Statement and affidavit of defense, on Cecil Stallsmith, additional deft, on April 24, 1940.
		On Fall Trial List, 1940, No. 22.
		On Winter Trial List, 1941, No. 6.
		And now, January 7, 1941, a jury selected and sworn as follows: 1- B. L. Stuckmaker, 2- Mrs. Eva Holmes, 3- Frank Johnson, 4- Richard Stainbrook, 5- Earl Graham, 6- Mrs. Margaret De Maison, 7- Howard Sandy, 8- Norah Bradley, 9- Mrs. Margaret Miller, 10- Gertrude Freeman, 11- C. R. Bell, 12- Mrs. Helen Reitz; twelve good and lawful persons, who upon their solemn oaths which they have taken, say January 10, 1941 they find Paul Sivic guilty of negligence, and award Eleanor Deitz minor the sum of $2000.00, and her Guardian, August Deitz, in his own right, $2079.50. Si. page 146.
		Jan. 9, 1940, Plaintiff's points filed.
		And now, January 14, 1941, on motion of deft for a new trial, a rule to show cause is granted, returnable sec. reg. and the Stenographer is ordered to transcribe the testimony, the charge of the Court and the plaintiffs points and rulings thereon, and file same with the Prothonotary, and the defendant is allowed an additional ten days after notice of the filing of such transcribed notes to assign other reasons in support of his motion for a new trial. Per Curiam. (See paper filed)
		On Argt. List for Nov. Term, 1941, No. 13.
		Nov. 24, 1941, By agreement of counsel, rule for new trial is discharged. Per Curiam.
		And now, Feby. 25, 1942, upon payment of the jury fee in this case, judgment is hereby entered on the verdict.
		Debt due Eleanor Deitz $2000.00
		Debt due August Deitz 2079.50
		Interest from Jan. 10, 1941,
		Judgment in
		Si. page 146. Paul D. Slayton, Prothy.
		Feby. 25, 1942, Certificate of judgment mailed to Department of Revenue, Harrisburg, Pa.

Albert L. Thomas	In the Matter of the First National Bank of Saegertown, Pennsylvania, now in the hands of Charles H. Leslie, Receiver.	Record Continued from page 2.

of Receiver
June 21, 1940, petition for order of sale filed, with this order:-

Now, June 20, 1940, on presentation and consideration of the foregoing petition, it is hereby ordered that the same be filed, and the petitioner is directed to give notice by publication in the Tribune-Republican of Meadville, Penna, once a week for 3 weeks last publication to be at least 10 days prior to Aug. 5, 1940, that the proposed sale set forth in the petition will be ordered and authorized by the Court on Aug 5, 1940, at 9:30 o'clock A.M. unless there are objections thereto.

Per Curiam,
O. Clare Kent, P.J.

Decree: Now, August 21, 1940, it appearing to the Court that on June 20, 1940, Charles H. Leslie, Receiver of the First National Bank of Saegertown, Penna, presented his petition for an order authorizing him to make private sale of certain assets of said bank in his hands, unto the First National Bank of Meadville, for the sum of $3000.00, less such collections as are made prior to the date of sale, pursuant to which an order was entered directing that said petition be filed and that petitioner give notice by publication in the Tribune-Republican of Meadville, Pa. once a week for three weeks, the last publication to be at least ten days prior to August 5, 1940, that the proposed sale will be ordered and authorized by the Court on Aug. 5, 1940, at 9:30 o'clock A.M., unless there are objections thereto, and it further appearing by proof of publication hereto attached that the required notice has been given and no objections to the proposed sale having been made, it is therefore ordered and decreed that Charles H. Leslie, Receiver of the First National Bank of Saegertown, Penna., make private sale of the following assets of said bank in his hands as such Receiver, to wit: Note of Rodney and John Acker in the sum of $115.00, dated 9/23/36; note of James Beers in the sum of $85.00, dated 4/23/33; note of Allen Brown in the sum of $26.50, dated 3/23/31; note of Will W. and E.A. Cummings, in the sum of $25, dated 3/16/34; note of S.D. DeVore in the sum of $242.69; dated 4/1/25; note of R.L. Greenlee and Ezra Frantz in the sum of $120.00, dated 3/26/32; note of Carrie and E.G. Waid in the sum of $113.05, dated 2/17/40; $4000.00, Lancaster Company 6½% first mortgage leasehold bonds of 1936, 5/1/29, and subsequent coupons

attached; judgment against Rue B. Flaugh in the sum of $620.00; judgment against W.B. George in the sum of $517.25; judgment against Eva A. Pickernell in the sum of $103.45; judgment against Anna Patterson in the sum of $620.70; judgment against Wayne Patterson in the sum of $620.00; judgment against E.G. Reichel, in the sum of $1034.50; claim in the sum of $712.68, against the estate of P.A. Smith, deceased; claim in the sum of $100.60 against the estate of P.F. Peters, deceased; article of agreement between Charles A. Leslie, Receiver of First National Bank of Saegertown, Penna, and Harold J. Johnson and Marie M. Johnson, dated January 9, 1939 for the sale of a piece of land in Cussewago Township, Crawford County, Penna; a piece of real estate known as Earl A. Clemens, situate in Venango Boro, Crawford County, Penna; and one Burroughs Adding Machine, to First National Bank of Meadville, Penna, for the sum of $3000.00, less such collections as have been made on account of said assets prior to the date of this order and subsequent to March 31, 1940, the date of the offer of the said First National Bank of Meadville to purchase said assets.

It is further ordered and decreed that the purchase price of said assets shall be credited upon the claim of the said First National Bank of Meadville against the First National Bank of Saegertown and the Receiver.

It is further ordered and decreed that the said Receiver execute and deliver unto the First National Bank of Meadville, Penna, such deeds and assignments as are necessary to vest title to the said assets in the said First National Bank of Meadville, which said deeds and assignments shall be made subject to all liens of record, and the lien of taxes not of record, and without recourse to the Receiver.

Per Curiam,
O. Clare Kent, P.J.

(See paper filed)

Walter J. McClintock

X

J. L. Connell, Wesley G. Reitze and Harry L. Wentworth, Commissioners of Crawford County, Petitioners

vs.

J. B. Himebaugh, Administrator C.T.A. of the estate of William B. Himebaugh, decd, et al

Record Continued from page 343

and Bertha Goodwill and Arthur G. Belden, Executors of the estate of Frank J. Goodwill, deceased, by personal service under the provisions of the Act of Assembly above recited, and in addition thereto, notice by one advertisement in the Titusville Herald, a newspaper of general circulation in the County where the land is situate, shall be given to all persons, including those named in the petition, to appear on or before the return day of the rule and show cause why the title of the petitioners should not be adjudicated and decreed valid and indefeasible as against all rights or claims whatsoever, subject however to the first mortgages hereinabove recited. Said advertisement to be made at least sixty (60) days before the return day aforesaid.

It is further ordered and decreed that the newspaper advertisement provided for above shall constitute sufficient notice to all persons mentioned as devisees of said land under the within recited will of said William B. Himebaugh, registered in the Register of Wills Office of Crawford County on the first day of May, 1934, in Will Book "W", page 406, and to all persons not mentioned in said petition, who may have an interest in said lands.

Per Curiam,
O. Clare Kent, President Judge

May 30, 1940, Jacob B. Himebaugh, Admr. C.t.a. of estate of Wm. C. Himebaugh decd, accepts service of a true and attested copy of the above captioned petition and order with rule to show cause, the same as if it had been served upon him by the Sheriff. (See paper filed Sept. 3, 1940)

May 31, 1940, Arthur G. Belden and Bertha H. Goodwill, Executors of the estate of Frank J. Goodwill, deceased, accept service of a true and attested copy of the above captioned petition and order, with rule to show cause, the same as if it had been served upon them by the Sheriff. (See paper filed Sept. 3, 1940)

Sept. 3, 1940. Proof of publication of notice of hearing, in this proceeding.

Now, Sept. 3, 1940, Comes Walter J. McClintock, County Solicitor, and suggests the death of J. L. Connell between the date of preparation and execution of the petition filed in this case, and of a vacancy at the time of such execution. (See paper filed)

Sept. 3, 1940. Final order of adjudication of title filed, to wit:-

Now, September 3, 1940, it appearing that upon petition of the Commissioners of Crawford County, at No. 27, September Term, 1940, a rule to show cause was granted by this Court on

May 27, 1940, returnable to the first Monday of August, 1940, at 9:30 A. M., upon the persons named in the said petition, and generally upon all other persons not named in the said petition, who have or claim to have, any right, title or interest in or claim against the two parcel of land in Athens Township, Crawford County, Pennsylvania, hereinafter described, to appear within sixty (60) days from the service of said rule and show cause why the title of the petitioners to the lands should not be adjudicated and declared valid and indefeasible as against all rights or claims whatsoever, subject to first mortgages on the respective parcels as hereinafter set forth; and it appearing further that the said rule has been duly served according to law, and in conformance with the order of Court and and return of personal service and service by advertising having been duly filed, and no one having appeared to show cause why the title of petitioners in said lands should not be so adjudicated as aforesaid; the said rule is made absolute and the title of said petitioners, the Commissioners of Crawford County, in said lands, is hereby adjudicated and declared valid and indefeasible against all rights or claims whatsoever, subject to said first mortgages and the rights of the respective mortgagees therein, their heirs, executors, administrators and assigns; and it is further ordered and decreed that the title to said lands shall remain firm and stable in said County Commissioners, their successors and assigns forever, freed and discharged of all rights or claims whatsoever, excepting as to said mortgages.

The lands above mentioned, together with the respective mortgages to which they are subject, are more fully described as follows:- I.

All that certain piece or parcel of land situate in Athens Township, Crawford County, Pennsylvania, being a part of Tract No. 1684 in said township, and is bounded and described as follows, to wit: Beginning at a point in the center of the West Branch of Oil Creek, at the northeast corner of other land of Wm. B. Hinebaugh; and from thence ~~north~~ along the north line of said land of Wm. B. Hinebaugh, north 87 degrees west, one hundred forty-nine and forty-five one hundredths rods to a post, the southeast corner of lands of the estate of Joshua Bruner; thence along the east line of said Bruner estate, north 4 degrees 30 minutes east, one hundred sixty-seven and seven tenths rods to a post in the south line of land of Dr. Charles Payne; thence along the south line of land of Dr. Charles Payne, south 88 degrees 45 minutes east, eighty-five and five tenths rods to the northwest corner of land of Mrs. Benjamin Ruggles; thence along the west line of said land of Mrs. Benjamin Ruggles, south 4 degrees 30 minutes west, thirty-four and eight tenths rods to a post; thence along the south line of Mrs. Benjamin Ruggles land,

Continued on page 652.

Thomas F Kiebort
for Arthur Shaffer, 7/7/41.

In the matter of
Arthur Shaffer,
an alleged absentee

Record continued from page 124
of No. 145 Feb. Term, 1940.

Order: And now, this 27th day of May, A.D. 1940, the foregoing petition having been presented in open Court after due consideration thereof, it appearing to the Court that it would be for the best interests of the said Arthur Shaffer, an absentee, and of his estate, that the prayer of said petition be granted and that a better price can be obtained at private sale of the said real estate therein described than at public sale thereof, it is therefore ordered and decreed that J. H. Allison, Trustee of the Estate of Arthur Shaffer, an absentee, be authorized to join in the deed of conveyance with Peter Breece, Roland Shaffer, Mrs. Ocie Moyer, Emery Shaffer, Fred Smith, and Bruce F. Smith and conveying all of the right, title, and interest of Arthur Shaffer, an absentee, to Julius Frank Aponte and Theda Hollenbaugh Aponte, his wife, the purchasers, with the same force and effect as if the said Arthur Shaffer had signed and conveyed his interest away personally, for a one sixth interest in the sum of or consideration of $280.00 payable $2000.00 in cash and the balance or sum of $800.00 secured by a mortgage payable $25.00 per month plus interest at the rate of 6% per annum. The share of the said Arthur Shaffer, an absentee, is to be one-sixth interest in the net balance of the cash consideration and one-sixth interest in the mortgage security and payments thereon ~~realized~~ by the sale hereof, less tax adjustment and one-sixth of five per cent real estate commission. The title of Arthur Shaffer, an absentee, transferred to the purchasers to be indefeasible by any person ascertained or class of persons having a present or expectant interest in the premises and unprejudiced by any errors in the proceedings of the Court. Per Curiam.

July 7, 1941, Petition of Arthur Shaffer for restoration of property, presented in open Court and filed.

Now, July 7, 1941, upon presentation and consideration of the foregoing petition, hearing thereon is fixed for August 4, 1941, at 9:30 o'clock A.M., Eastern Standard Time, at the Court House, in the City of Meadville, Pa. The Trustee is hereby directed to prepare his account and have same before the Court for confirmation nisi at the time hereinbefore fixed for hearing. Copy of the foregoing petition and this order shall be served personally upon J. H. Allison, Trustee, and by registered mail upon the next of kin of petitioner. Per Curiam. (See papers filed)

Aug. 4, 1941, Proof of service of notice filed.

Continued on page 636.

Kent & Kent
Stuart A. Culbertson

In re Estate
of
Inez A. Hall, a
person of weak mind
Crawford County
Trust Company
Guardian.

Record continued from page 38

to pay the bills and claims against Inez A Hall which have been filed with it, a list of which is hereto attached, and also to pay $25.00 per week for the employment of a housekeeper and nurse for Inez A Hall, and also to pay $10.00 per week for the employment of a person to stay with the said Inez A. Hall nights, and also authorizing it to expend a sum not exceeding $125.00 per month for the ordinary living expenses of the said Inez A. Hall.

Per Curiam,
O. Clare Kent, P.J.

(See paper filed) Copy issued.

July 1, 1940, Petition of Guardian for leave to sell real estate at private sale filed.

Order: And now, July 1, 1940, the Court being of the opinion that the proposed sale will be to the interest and advantage of the said Inez A. Hall, and can be made without prejudice to any trust, charity or purpose for which the real estate is held, and without violation of any law which may confer an immunity or exemption from sale or alienation, and that the price or sum of Twenty-five Hundred Dollars ($2500.00) is a good and sufficient price and a better price for the said premises than can be obtained at public sale, It is Ordered and Decreed that the said Crawford County Trust Company, Guardian of the estate of Inez A. Hall, a person of weak mind, make sale of the premises located in the township of West Mead, Crawford County, Pennsylvania, bounded and described as follows, to wit: "On the north by the Old Creek Road; on the east by land of William Knorr; on the south by lot of Hiram L. Blystone, and on the west by land of August Wachsmuth, having a front on said Old Creek Road of 100 feet and extending back 300 feet, with a two-story frame dwelling house and frame barn erected thereon" —

to Calvin Kent, for the price or sum of Twenty-five Hundred ($2500.00), to be paid upon the terms set forth in the within petition, and deliver to said purchaser, his heirs and assigns, a deed in fee simple for the said premises, said title to be indefeasable by any party or person having a present or expectant interest therein, and unprejudiced by any error in the proceedings of the Court, Bond to be furnished by the Crawford County Trust Company, Guardian of Inez A. Hall, in the sum of $5000.00, to be approved by the Court.

Per Curiam,
O. Clare Kent P.J.

Continued on Page 640

(See paper filed)
July 11, 1940, Bond of Guardian on sale of real estate, in the sum of $5000.00, approved by the Court, and filed.

Leland J. Culbertson
X

In re Estate
of
Edith Amy Hodgkinson,
a person of weak mind

Record Continued from page 92

two hundred fifty (250) feet north of Randolph Street, and the south line beginning on Bullum Street 46 feet south of the alley, together ten (10) foot private alley in the rear right of way to the of the herein described lot, and being the same land conveyed to Edythe Hayes Hodgkinson, by deed of Essie E Gaskill, widow, dated Sept. 18, 1919 and recorded among Crawford County records in Deed Book 214 page 577; should be sold to William P. Flynn Jr, for $3000.00, and that the said sum of $3000 is a better price than could be obtained at public sale, and that the same may be made without injury or prejudice to any trust charity or purpose for which the same is held, and without the violation of any law, conferring immunity or exemption from sale or alienation, It is Ordered and Further Decreed, that without further legal advertising or notice, Cecil H. Hodgkinson, Guardian of the estate of Edith Amy (Hayes) Hodgkinson, a person of weak mind, be and he is hereby authorized to convey the said premises to the said William P. Flynn, Jr, for the sum of $3000, the title of the purchaser to be in fee simple, indefeasible by any part or persons having a present or expectant interest therein, and unprejudiced by any error in the proceedings of the Court, the said Cecil Hodgkinson first entering security in the sum of $5000.00.

Per Curiam.
O. Clare Kent, P.J.

(See paper filed)

March 11, 1940 Bond of Cecil Herbert Hodgkinson, Guardian on sale of real estate, with Glens Falls Indemnity Co. as surety, in the sum of $4000.00, approved by the Court and filed.

Nov. 14, 1940, Final Account of Guardian filed showing balance due estate of $275.08, Same day order for advertising notice of filing account sent to Conneaut Lake Breeze Conneaut Lake, Pa., stating that account will be confirmed nisi on the second Monday of December next; and unless exceptions thereto be filed within ten days of nisi confirmation same will be confirmed absolutely.

Dec. 24, 1940, Proof of publication filed.

December 19, 1940, No exceptions having been filed this Account is confirmed absolutely. Paul D. Clayton,
Prothonotary.

No 57 September TERM, 1940, Continued.

J. A. Boland

X

Arden D. Mook
for George P. Brink

In re Petition of Earl L. Hoyt and Florence M. Hoyt
for
Satisfaction of Mortgages recorded in M.B. "R" page 258, and in M. B. "R-2" page 671.

Record Continued from page 361

either of said mortgages or encumbrances with the exception of George P. Brink, who appeared and filed an answer on that date; that on the 6th day of September, 1940, this Court entered a rule on said George P. Brink to commence legal proceedings to enforce payment of his claim, within thirty (30) days from that date; that service of copy of said order was accepted by A. D. Mook, Attorney for George P. Brink; that no proceedings have been commenced by said George P. Brink as directed in said order, and thirty days have now fully elapsed since date of said order,-

The Court being now satisfied of the truth of the allegations set forth in said petition, and that all legal requirements have been complied with, now enters the following decree:-

All that certain piece of property now owned by petitioners Earl L. Hoyt and Florence M. Hoyt, lying and being situate in the Boro. of Cambridge Springs, Pa., bounded and described as follows, to wit: On the north by Grant Street; on the east by land formerly owned by P. L. Snow's heirs; on the south by land formerly owned by W. W. Hyatt, and on the west by Chase Alley. It being the same property conveyed to Julia A. Maynard, now Wing, by deed from Darias D. Birchard and wife, dated March 15, 1866, and recorded in Crawford County Deed Book L-3, at page 517. Being same property conveyed to within petitioners by deed of Ida A. Marcy, dated April 12, 1940, and recorded in Crawford County Deed Book 300, at page 409.

is hereby released and discharged from the lien and encumbrance of the said two mortgages; to wit:

(a) That certain mortgage given by Julia A. Maynard to O. P. Burdick, in the sum of $90.00 dated the 7th day of October 1874, and recorded in Crawford County Mortgage Book R. at page 258.

(b) That certain mortgage given by Julia A. Wing to L. A. Marcy, Cashier in trust-Farmers Savings Bank, in the sum of $330.00, dated the 10th day of December, 1892, and recorded in Crawford County Mortgage Book R-2 page 671,

That a certified copy of said petition, and this decree be entered of record in the office of the Recorder of Deeds of this County, which decree and record shall forever thereafter operate as a release and discharge of said lands from the encumbrance of said two mortgages, and shall bar all actions brought thereon.

Per Curiam,
O. Clare Hunt, P.J.

(See paper filed)

Oct. 7, 1940, Certified copy of decree issued for recording.

Stuart A. Culbertson

X

Jane Slingluff, Petitioner,
vs
Sarah Boyle and Sylvester Boyle, her husband, et al. Respondents.

Record continued from page 91

Sheriff's Return, continued:
Sylvester Boyle, her husband, Elizabeth Johnson or Louis Johnson, also known as Lewis Johnson, her husband, and their heirs, executors, administrators and assigns, and all other persons and claimants having an apparent interest or title to land described in the petition filed in my bailiwick, and that in obedience to an order of Court to me directed, a public notice of the facts set forth in the petition filed in said case was published in the Tribune-Republican, Meadville, Pa, a newspaper of general circulation in the County of Crawford, once a week for six weeks successively, to wit, on January 6, 13, 20, 27, and February 3, 10, 1940 the said publication being after the presentation of said petition to Court, as will appear by the proof of publication hereto attached. So answers,

March 4, 1940. Harry B Smith, Sheriff

Dec. 26, 1944, Suggestion of death of Jane Slingluff, and substitution of Florence Anderhalt, Administratrix of the estate of Jane Slingluff, deceased, as party plaintiff, filed.

December 26, 1944, Final Order filed.

And now, December 26, 1944 it appearing from the papers filed, and docket entries in the above entitled case, that a Rule to bring ejectment within six months from the date of service of said Rule was issued by the Court on January 2, 1940, ordering and directing that service of said Rule be made upon the said parties claiming or having apparent interest in or title to the said real estate, by the Sheriff of Crawford County, by publication in the Tribune Republican a newspaper of general circulation published in Crawford County, once a week for six weeks in accordance with the Act of Assembly in such cases made and provided, and the filing of the proof of publication of said rule shall constitute service of said rule upon the named defendants, with the same effect as if said Rule had been personally served upon the said defendants. Said Rule was returnable to the first Monday of March, 1940 at 9:30 o'clock A. M. And it further appearing that on March 4, 1940 a Return of said Writ was made by the Sheriff of Crawford County, Pennsylvania as follows: (See Sheriff's Return above).

And it further appearing that Proof of Publication of said Rule was duly filed with the Sheriff's Return in said case, and that a period of six months from the date of last publication of said Rule has elapsed and said defendants have not appeared personally, nor by counsel, nor defended against said Rule, nor brought their action of ejectment,

Continued on page 96

Kenneth W. Rice 10	T. W. Smock, use of Herman G. Williams, use of Avary E. Williams VS. Preston Seeley	Record Continued from Page 172. March 20, 1942, Writing filed wherein plaintiff releases from the lien of the above judgment the following described property, to-wit: All that certain piece or parcel of land situated in Greenwood Township, Crawford County, Pennsylvania, bounded and described, as follows, to wit: On the North by the Erie Railroad; on the East by land now or formerly of Frank Adsit and Ford Anderson; on the South by land now or formerly of William A. Hall and Jessie S. McClung; and on the West by land now or formerly of Jessie S. McClung and M. D. Brooks, containing thirty-seven (37) acres of land, more or less.
11	T. W. Smock, use of Herman G. Williams, use of Avary E. Williams VS. Preston Seeley	Record Continued from Page 173 March 20, 1942, Writing filed wherein plaintiff releases from the lien of the above judgment the following described property, to-wit: All that certain piece or parcel of land situated in Greenwood Township, Crawford County Pennsylvania, bounded and described, as follows, to-wit: On the North by the Erie Railroad; on the East by land now or formerly of Frank Adsit and Ford Anderson; on the South by land now or formerly of William A. Hall and Jessie S. McClung; and on the West by land now or formerly of Jessie S. McClung and M. D. Brooks, containing thirty-seven (37) acres of land, more or less.