

DOCKET NO. 172

NUMBER TERM YEAR

11 November 1960

Harriet Ethel Leitzell

VERSUS

Floyd Anthony Leitzell

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

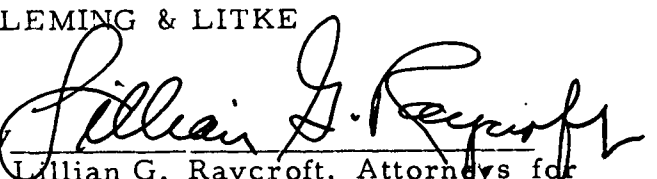
HARRIET ETHEL LEITZELL	:		
	:		
VS:	:	No. 11,	November Term, 1960
	:		
FLOYD ANTHONY LEITZELL	:		In Divorce

WAIVER

NOW THIS 24th day of February, 1961, receipt of Master's  
Report is acknowledged and Notice of filing and presentation to the  
Court is waived.

FLEMING & LITKE

By

  
Lillian G. Raycroft, Attorneys for  
Plaintiff.

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

HARRIET ETHEL LEITZELL :  
:   
VS: : No. 11 November Term, 1960  
:   
FLOYD ANTHONY LEITZELL :

MASTER'S REPORT

The Master appointed by your Honorable Court in the above proceeding in Divorce to take the testimony of the witnesses in the case and make report thereon, together with Form of Decree recommended, respectfully reports:

1.

Walter M. Swoope, Esquire was appointed Master in the above proceeding In Divorce by your Honorable Court on the 23rd day of January, 1961.

11.

DOCKET ENTRIES & SCHEDULE

November 9, 1960 Complaint In Divorce A. V. M. filed. One copy certified to the Sheriff.

December 9, 1960 Sheriff's return filed: December 9, 1960 after diligent search and inquiry, the within named defendant, Floyd Anthony Leitzell, is not found in my bailiwick and I hereby return this writ "Not Found" as to Floyd Anthony Leitzell. So answers, Charles G. Ammerman, Sheriff.

December 7, 1961 Praecipe for Publication, filed by Fleming & Litke, by Lillian G. Raycroft, Attorney for Plaintiff.

January 9, 1961 Sheriff's Return, filed: Now, December 30, 1960, served the within Complaint In Divorce upon Floyd Anthony Leitzell by advertising the printed notice hereto attached in the Clearfield Progress, a newspaper of general circulation published in the Borough of Clearfield, Clearfield County, Pennsylvania, on the 15th, 22nd and 29th days of December, 1960, and affidavit of the publisher, hereto attached and made part of this return of service.

Also, on the 4th day of January 1961, a true and attested copy of the original Complaint In Divorce by registered mail, addressee only, return receipt requested to Floyd Anthony Leitzell, Jr., Sandy Street, DuBois, Pa., that being his last known address. Registered letter marked "Gone No Address, In Europe)" is hereto attached, and made part of this return of service. So answers Charles G. Ammerman, Sheriff.

- January 23, 1961. By Motion on the WatchBook, Walter M. Swoope, attorney was appointed Master to take testimony and report the same with form of Decree.
- January 26, 1961. Time and place of Hearing to be held by Master fixed for Tuesday, February 21, 1961 at 9:00 o'clock A.M., at his office on the Fifth Floor, Clearfield Trust Company Building on North Second Street, Clearfield, Pa.
- January 26, 1961. Service of Master's Notice of Hearing upon Harriet Ethel Leitzell, plaintiff, service accepted and copy received.
- January 26, 1961. Service of Master's Notice of Hearing on Floyd Anthony Leitzell was made by advertising, the printed notice herewith attached in the DuBois Courier-Express, DuBois, Pa., a newspaper of general circulation published in the Borough of DuBois, Clearfield County, Pennsylvania, on the 31st day of January, 1961 and on February 7, 1961, and affidavit of the publisher, hereto attached and made a part of this return of service of publication.
- January 26, 1961. Service of Master's Notice of Hearing upon Lillian G. Raycroft, attorney at Law, service accepted, copy received.
- February 21, 1961. At the time and place set for hearing, there appeared Harriet Ethel Leitzell, plaintiff, Lillian G. Raycroft, attorney for plaintiff, and Buelah Nelson, DuBois, Pa., witness for the plaintiff. The Defendant, Floyd Anthony Letizell, did not appear in person and was not represented by Counsel.

1111/

Attached hereto are all the filed papers arranged in order for filing.

1V.

#### CAUSE OF DIVORCE

Desertion

V.

#### FINDINGS OF FACT

1. Marriage --- From the evidence in the case, the plaintiff and defendant were married September 17th, 1958 at Arlington, Virginia.

2. Residence-- The plaintiff has been a resident of DuBois, Pennsylvania, all her life, that is since June 26, 1936. The present address of plaintiff is 106 Wilson Avenue, DuBois, Clearfield County, Pa., The defendant was a resident of DuBois, Pennsylvania at the time of marriage. His present address is somewhere in Europe. His last known address was on Sandy Street, DuBois, Clearfield County, Pennsylvania.
3. Citizenship-- Both the plaintiff and the defendant are citizens of the United States by birth.
4. Age and Occupation-- The plaintiff is a registered nurse and is twenty four (24) years of age. The defendant is twenty seven (27) and his present occupation is unknown. His last occupation being a sheet metal worker for Landair, Inc.
5. Children-- There was one child born to this marriage union, a girl, Justine Elizabeth Leitzell, aged one year and eleven months old. She has resided since birth with the plaintiff, her mother.
6. Military Service-- The defendant is not in the Armed Forces of the United States.
7. Finding on the Merits ----- In this case, the Master reports that the testimony reveals that the defendant did wilfully desert the plaintiff in leaving her the day after they were married for Europe, and not returning until July, 1959 to tell her he did not want anything to do with her. He stayed at the home of his father while in DuBois, and she only saw him once, when he told her he wanted to stay away from her and would be satisfied. That was the last she saw him. He never supported the plaintiff or the child.
- The Master finds there is no collusion between the parties.
- The Master finds that there was no support action brought and that the plaintiff is supporting the child.
- The Master finds that there has been no previous action for Divorce instituted by the plaintiff, or by the defendant and in so far as the plaintiff has knowledge.
8. Discussion ---- In this case, the facts are very clear that the defendant did not desire to live with his wife, or support her, that he left the day after they were married for France, Europe and did not return until ten months later, and then he told his wife he did not want anything to do with her, and the plaintiff only saw him once while he was in DuBois, and he left again and she has not seen or heard anything from him. The plaintiff lived with her mother following her marriage and is now living with her mother and their child, Justine Elizabeth Leitzell.

8. Discussion -- The facts clearly reveal that the defendant did not  
continued provide a home for plaintiff and deserted her the  
day after their marriage, and the Master must report  
that the plaintiff is entitled to her divorce on the sole  
ground of desertion by the defendant since the defendant  
definitely refused to live with the plaintiff.

V1.

CONCLUSIONS OF LAW

1. The proceedings are legal and conform to the law  
and the rules of Court.
2. The Plaintiff has sustained the charge of Desertion  
by the defendant.
3. The weight of the evidence proves desertion in that  
the defendant refused to live with the plaintiff.
4. Under the evidence, the plaintiff is entitled to a  
Decree of absolute divorce avinculo matrimonii.
5. The residence of the defendant<sup>is</sup> France, Europe.
6. Both the plaintiff and defendant are citizens of the  
United States.
7. The plaintiff was born in DuBois, Pennsylvania, and  
has been a resident and citizen of Clearfield County, Pennsylvania, all  
her life.
8. The process in this case was served by registered  
mail and also by publication as to Complaint in Divorce, and as to Notice  
of Master's Hearing.
9. The defendant at no time filed any answer to any  
pleadings in the case. The defendant did not appear at the Master's  
Hearing in person or by Counsel.
10. The defendant is not in the military service or  
Armed Forces of the United States.

V11.

The Master recommends that a Divorce Avinculo  
Matrimonii be granted the Plaintiff, separating her from the society,  
fellowship and company of the defendant.

V111.

A form of Decree is attached hereto.

Respectfully submitted,

  
Walter M. Swoope, Esquire, Master.

Clearfield County, ss:

The Commonwealth of Pennsylvania, to .....

Walter M. Swoope, Esquire Greeting:

Know you, that in confidence of your prudence and fidelity we have appointed you, and by these presents do give unto you full power and authority, in pursuance of an order made in our County Court of Common Pleas, for the County of Clearfield, in a certain cause there depending, wherein

Harriet Ethel Leitzell ..... Plaintiff ,

and .....

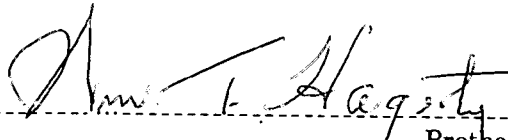
Floyd Anthony Leitzell ..... Defendant ,

to call before you at a certain day and place by you for that purpose to be appointed, all and every person who may be named to you on the part of the parties .....

..... as witnesses in the said cause, and then and there to examine each of the said witnesses upon their oath or solemn affirmation touching the premises and reduce their testimony to writing and report same with form of decree ..... and when you shall have done so, you are to send the name before our Judge at Clearfield, at our said Court, together with the interrogatories and this writ, and under your hand and seal.

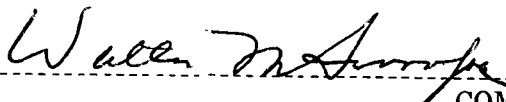
In Testimony Whereof, we have caused the seal of our said Court to be hereunto affixed.

WITNESS, the Hon.. John J. Pentz ....., President of our said Court, at Clearfield, the 23rd day of January ....., in the year of our Lord one thousand nine hundred and sixty one .....

  
Prothonotary

To the Honorable, the Judge, &c.:

The execution of this commission appears in a certain schedule hereunto annexed.

  
COMMISSIONER.



No. 11 November Term. 1960

Harriet Ethel Lettzell

VERSUS

Floyd Anthony Lettzell

COMMISSION

Lillian G. Raycroft Attorney.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRIET ETHEL LEITZELL

:

VS.

:

No. 11 November Term, 1960

:

FLOYD ANTHONY LEITZELL

:

DOCKET ENTRIES

NOVEMBER 9, 1960, COMPLAINT IN DIVORCE A.V.M. filed. One copy certified to the Sheriff.

December 9, 1960, Sheriff's return filed: NOW, December 9, 1960 after diligent search and inquiry, the within named defendant, Floyd Anthony Leitzell, is not found in my bailiwick and I hereby return this writ "Not Found" as to Floyd Anthony Leitzell. So answers, Charles G. Ammerman, Sheriff.

December 7, 1960, Praecipe for Publication, filed by Fleming & Litke, by Lillian G. Raycroft, Attorney for Plaintiff.

January 9, 1961, Sheriff's Return, filed: NOW, December 30, 1960, served the within Complaint in Divorce upon Floyd Anthony Leitzell by advertising the printed notice hereto attached in the Clearfield Progress, a newspaper of general circulation published in the Borough of Clearfield, Clearfield County, Pennsylvania on the dates mentioned in the affidavit of the publisher, hereto attached and made part of this return of service.

ALSO on the 4th day of January 1961, sent a true and attested copy of the original Complaint in Divorce by registered mail, address-see only, return receipt requested to Floyd Anthony Leitzell, Jr., Sandy Street, DuBois, Pennsylvania that being his last known address. Registered letter marked "Gone No Address, In Europe" is hereto attached and made part of this return of service. So answers, Charles G. Ammerman, Sheriff.

In the Court of Common Pleas No.                      for the County of CLEARFIELD

*Nov* Term, 1960 No. 11

HARRIET ETHEL LEITZELL                      vs.                      FLOYD ANTHONY LEITZELL

Complaint in Divorce

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

State herein if either party is a minor or otherwise incompetent, with name and address of guardian, if any.

1. The names of the parties to this Complaint are

HARRIET ETHEL LEITZELL                      , Plaintiff,

and FLOYD ANTHONY LEITZELL                      , defendant.

State Street and house number.

2. The residence of the plaintiff is 106 Wilson Avenue

*D. B. is*  
~~Clearfield~~                      , in the County of

Clearfield                      , State of Pennsylvania

State Street and house number.

3. (a) The said defendant is a citizen of the United States of America

maintains a residence and is

presently residing at somewhere on the continent of Europe.

Eliminate section not applicable.

(b) The said plaintiff avers that she does not have any information or knowledge

as to the present whereabouts of the said defendant, having made every effort and search to ascertain the same.

4. The said plaintiff has resided within the Commonwealth of Pennsylvania for a

period of 24 years,                      months, immediately preceding the

filing of this complaint.

5. The said plaintiff and the said defendant were lawfully joined in marriage on the

17th day of September , A. D. 19 58, at Arlington

in the State of Virginia                      , and from and after that time, they lived together

and cohabited in the relation of husband and wife.

State each cause in a separate paragraph.

6. The said plaintiff avers that in violation of his marriage vows and of the laws of this Commonwealth, the said defendant did: wilfully and maliciously desert plaintiff for a continuous period of time in excess of two (2) years.

7. The said plaintiff avers that the present action is not filed by reason of any collusive conduct, directly or indirectly effected, between the said plaintiff and the said defendant.

Eliminate section not applicable.

8. (a) The said plaintiff avers that there has not been any prior action for divorce or annulment of marriage in this or any other jurisdiction.

If (b) applicable state parties, Court, term and number, date commenced, grounds and present status.

~~(b) The said plaintiff avers that an action for divorce annulment of marriage between the parties hereto was instituted by~~ against

~~in the Court of~~

9. WHEREFORE, the said plaintiff prays that a Decree may be made by your Honorable Court divorcing **HARRIET ETHEL LEITZELL**, the said plaintiff from the bonds of matrimony between the said plaintiff and the said defendant.

*D*  
Harriet Ethel Leitzell  
Plaintiff

William G. Raycroft  
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA }  
COUNTY OF } SS:

The above named **HARRIET ETHEL LEITZELL**, plaintiff,  
being duly sworn according to law, declares that the statements contained in the foregoing Complaint are true to the best of **her** knowledge, and belief; and that the said Complaint is not made out of levity or by collusion between **her** and the said defendant, **FLOYD ANTHONY LEITZELL** for the mere purpose of being freed and separated from each other, but in sincerity and truth, for the causes mentioned in the said Complaint.

Sworn to and Subscribed before me  
the **23** day  
of **September**, A. D. 19 **60**

Martin L. Kauffman  
PROTHONOTARY

My Commission Expires  
First Monday in Jan. 1964

No. 11 Nov TERM, 1960  
Court of Common Pleas

No.

HARRIET ETHEL LEITZELL  
Plaintiff,

AGAINST

FLOYD ANTHONY LEITZELL  
Defendant.

Complaint in Divorce, A. V. M.

To: FLOYD ANTHONY LEITZELL

, Defendant:

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

NOTE: You are hereby warned that if you fail to  
enter an appearance and file an ANSWER as above  
notified and required, the cause will proceed without  
you, and you will be liable to have a judgment of  
Divorce entered against you in your absence.

FILED  
1960 - 1960

WM. T. FLAGG  
BROTHERMAN

Attorney for Plaintiff

582  
\$135.00 By Atty

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Harriet Ethel Leitzell : No. 11 November Term, 1960

vs

:


Floyd Anthony Leitzell : Complaint In Divorce

\*\*\*\*\*  
(SHERIFF'S RETURN)

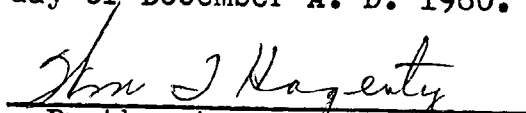
NOW, December 9, 1960 after diligent search and inquiry, the within named defendant, Floyd Anthony Leitzell, is not found in my bailwick and I hereby return this writ "Not Found" as to Floyd Anthony Leitzell.

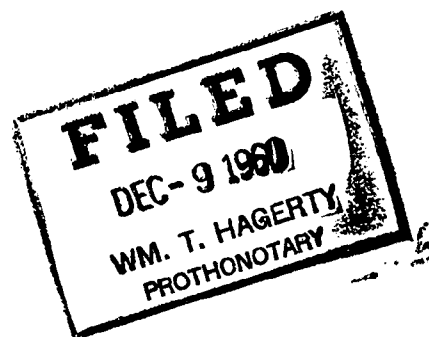
COSTS: Sheriff Ammerman \$5.00  
(Paid by Pro)

So answers,

  
CHARLES G. AMMERMAN  
Sheriff

Sworn to before me this 9th  
day of December A. D. 1960.

  
Prothonotary



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,  
PENNSYLVANIA

HARRIET ETHEL LEITZELL

VS.

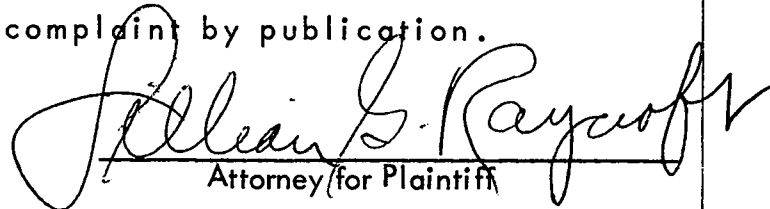
FLOYD ANTHONY LEITZELL

:  
: No. 11, Nov. Term, 19 60  
:  
: In Divor.  
:

PRAECIPE FOR PUBLICATION

TO. . . . William T. Hagerty, Prothonotary:

Direct service of the complaint by publication.

  
Attorney for Plaintiff

DATED: December 6, 1960

IN THE COURT OF COMMON PLEAS OF  
CLEARFIELD COUNTY, PENNSYLVANIA  
No. 11, - 1960 Term, 1960

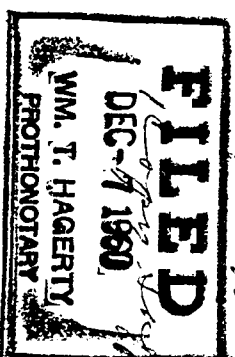
HARRIET ETHEL LEITZELL

VS.

FLOYD ANTHONY LEITZELL

PRACEIPE FOR PUBLICATION

*Not a finding of fact.*



FLEMING & LITKE  
ATTORNEYS AT LAW  
BELLEFONTE, PENNSYLVANIA



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Harriet Ethel Lätzell : No. 11 November Term, 1960

vs

:

Complaint In Divorce

Floyd Anthony Leitzell : Service by Publication Directed

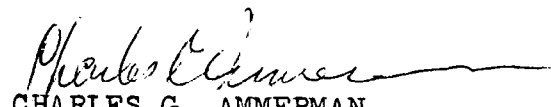
\*\*\*\*\*  
(SHERIFF'S RETURN)

NOW, December 30, 1960 served the within Complaint In Divorce upon Floyd Anthony Leitzell by advertising the printed notice hereto attached in the Clearfield Progress, a newspaper of general circulation published in the Borough of Clearfield, Clearfield County, Pennsylvania on the dates mentioned in the affidavit of the publisher, hereto attached and made part of this return of service.

ALSO on the 4th day of January 1961 sent a true and attested copy of the original Complaint In Divorce by registered mail, addressee only, return receipt requested to Floyd Anthony Leitzell, Jr., Sandy Street, DuBois, Pennsylvania that being his last known address. Registered letter marked "Gone No address, In Europe" is hereto attached and made part of this return of service.

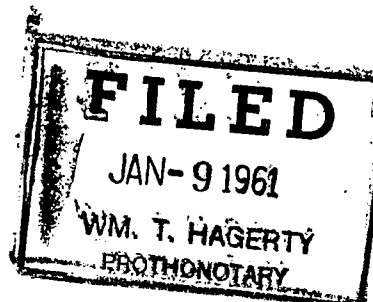
COSTS: Sheriff Ammerman \$7.14  
Clearfield Progress \$5.64  
(Paid by Pro)

So answers,

  
CHARLES G. AMMERMAN  
Sheriff

Sworn to before me this 9th  
day of January A. D. 1961.

  
Prothonotary



DATE	INCHES	LINES	WORDS
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28			
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30			
31			
TOTAL		141	

# THE PROGRESS

No 9845

CLEARFIELD, PA. December 15, 1960 ~~1961~~

CHARLES G. AMMERMAN, SHERIFF

c/o Sheriff's Office

Clearfield County Courthouse  
Clearfield, Pennsylvania

To Accounts Rendered

Inches @

Lines @

141 Words @ .04

Miscellaneous

\$ 5 64

LEITZELL VS LEITZELL

DIVORCE NOTICE

Commonwealth of Pennsylvania  
County of Clearfield  
To Floyd Anthony Lettzell:  
You are notified that Harriet  
Ethel Lettzell, the plaintiff has  
commenced an action of Divorce  
against you which you are re-  
quired to defend.  
CHARLES G. AMMERMAN,  
Sheriff of Clearfield County.  
WILLIAM G. RAYCROFT, At-  
torney at Law, Bellefonte, Pa.  
12-15-22-29-b

## PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :  
COUNTY OF CLEARFIELD : SS:

On this 29th day of December, A. D. 19 60  
before me, the subscriber, a Notary Public in and for said County and  
State, personally appeared William C. Plummer, who being duly sworn  
according to law, deposes and says that he is the Advertising Manager  
of the Clearfield Progress, a daily newspaper published at Clearfield, in  
the County of Clearfield and State of Pennsylvania, and established  
April 5, 1913, and that the annexed is a true copy of a notice or  
advertisement published in said publication in the regular issues of

December 15, 22 and 29, 1960. And that the affiant  
is not interested in the subject matter of the notice or advertising, and  
that all of the allegations of this statement as to the time, place, and  
character of publication are true.

Sworn and subscribed to before me the day and year aforesaid.

*William C. Plummer*  
*David Margaret Bennett*  
Notary Public : NOTARY PUBLIC  
My Commission Expires March 20, 1963  
Clearfield, Penna. Clearfield, Pa. Clearfield County

CLEARFIELD PROGRESS (Please publish once a week for three  
successive weeks beginning December 15, 1960)

Commonwealth of Pennsylvania,  
County of Clearfield,

To Floyd Anthony Leitzell:

You are notified that Harriet Ethel Leitzell, the plaintiff  
has commenced an action of Divorce against you which you are  
required to defend.

CHARLES G. AMMERMAN  
Sheriff of Clearfield County

Lillian G. Raycroft  
Attorney at Law  
Bellefonte, Pa.

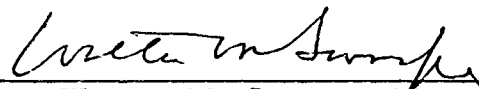
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

HARRIET ETHEL LEITZELL	:		
	:		
VS:	:	No. 11	November Term, 1960.
	:		
FLOYD ANTHONY LEITZELL	:		In Divorce

NOTICE OF MASTER'S HEARING

To Floyd Anthony Leitzell  
Sandy Street  
DuBois, Pennsylvania

You are hereby notified that I have been appointed Master in the Divorce case of Harriet Ethel Leitzell against Floyd Anthony Leitzell, in the Court Of Common Pleas of Clearfield County, Pennsylvania, to No. 11, November Term, 1960, and that I will hold a hearing for the purpose of taking testimony in said case, at my office on the Fifth floor of the Clearfield Trust Building on North Second Street, Clearfield, Pennsylvania, on Tuesday, February 21, 1961 at 9:00 o'clock A.M., when and where you may attend with witnesses if you so desire and be heard.

  
Walter M. Swoope, Master

Service accepted this 26<sup>th</sup> day of January, 1961 on behalf of Harriet Ethel Leitzell, Plaintiff.

  
Lillian G. Raycroft, Attorney for Plaintiff.



**PROOF OF PUBLICATION OF NOTICE APPEARING IN THE DUBOIS-COURIER-EXPRESS  
PUBLISHED BY COURIER-EXPRESS PUBLISHING COMPANY**

Under Act No. 587, Approved May 16, 1929, P. L. 1784

STATE OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

SS:

*M. L. Bloom, General Mgr.*

of The DuBois Courier-Express,

of the County, and State aforesaid, being duly sworn, deposes and says that **The DuBois Courier-Express** is a daily newspaper published by Courier-Express Publishing Company at 56-58 West Long Avenue, City of DuBois, County and State aforesaid, which was established in the year 1879, since which date said daily newspaper has been regularly issued in said County, and that a copy of the printed notice of publication is attached hereto exactly as the same was printed and published in the regular editions of the daily newspaper on the following dates, viz: the *Jan. 31, 1960*

*day of and February 7th*, A.D., 19*61*

Affiant further deposes that he is an officer duly authorized by **The DuBois Courier-Express**, a daily newspaper, to verify the foregoing statement under oath and also declared that affiant is not interested in the subject matter of the aforesaid notice or publication, and that all allegations in the foregoing statement as to time, place and character of publication are true.

**COURIER-EXPRESS PUBLISHING COMPANY**

Publisher of

**THE DUBOIS COURIER-EXPRESS**

By

*M. L. Bloom, Genl. Mgr.*

Sworn and subscribed to before me this

*8*

day of

*Feb*

19*61*

*Meritt I. Edner*

Notary Public

**MERRITT I. EDNER, Notary Public**  
DuBois, Clearfield Co., Pa.  
My Commission expires Jan. 18, 1963

Statement of Advertising Costs

**COURIER-EXPRESS PUBLISHING COMPANY**

Publisher of

**THE DUBOIS COURIER-EXPRESS**

DuBois, Pa.

To *Bell, Silverblatt & Swoope* Dr.  
*Wm. L. Leitzell Dvorce*

For publishing the notice or advertisement attached hereto on the above stated dates \$ *11.12*

Probating same . . . . . \$ *.50*

Total . . . . . \$ *11.62*

*Pl*

**Receipt for Advertising Costs**

daily newspaper hereby acknowledges receipt of the aforesaid advertising same have been fully paid.

Pa.

**COURIER-EXPRESS PUBLISHING COMPANY**

Publisher of

**THE DUBOIS COURIER-EXPRESS**

By

is the original Proof of Publication and Receipt for the Advertising costs

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

HARRIET ETHEL LEITZELL vs. FLOYD ANTHONY LEITZELL:

No. 11, November Term, 1960 In Divorce.

NOTICE OF MASTER'S HEARING

To Floyd Anthony Leitzell Sandy Street DuBois, Pennsylvania

You are hereby notified that I have been appointed Master in the Divorce case of Harriet Ethel Leitzell against Floyd Anthony Leitzell, in the Court of Common Pleas of Clearfield County, Pennsylvania, to No 11, November Term, 1960, and that I will hold a hearing for the purpose of taking testimony in said case, at my office on the Fifth floor of the Clearfield Trust Building on North Second Street, Clearfield, Pennsylvania, on Tuesday, February 21, 1961 at 9:00 o'clock A. M., when and where you may attend with witnesses if you so desire and be heard.

Walter M. Swoope, Master

and public

Office: 56- Established

I in the subj



OFFICE OF THE  
Sheriff of Clearfield County  
CLEARFIELD, PENNA.

REGISTERED

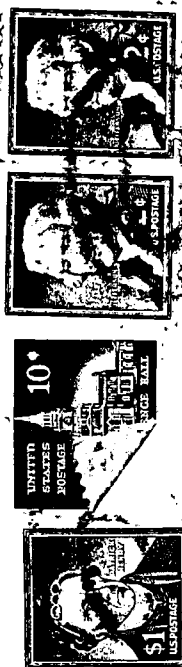
1144

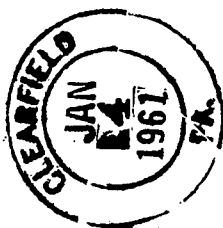
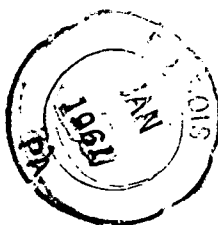
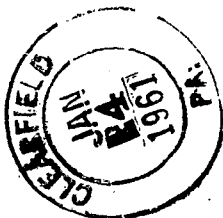
RETURN RECEIPT REQUESTED  
Deliver to Addressee Only

REGISTERED MAIL  
RETURN RECEIPT REQUESTED

ADDRESSEE ONLY

Lloyd Anthony Leitzell, Jr.  
Sandy Street  
DuBois, Pa.







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

HARRIET ETHEL LEITZELL

vs.

FLOYD ANTHONY LEITZELL

:  
:  
:  
:  
:

No. 11, November Term, 1960

In Divorce

MASTER'S HEARING

Master's hearing in divorce held February 20, 1961, at 9:30

A. M., E.S.T., at the offices of Bell, Silberblatt & Swoope, 5th Floor, Clearfield Trust Company Building, Clearfield, Pennsylvania.

There appeared at the hearing Harriet Ethel Leitzell, Plaintiff, Mrs. Beulah Nelson, witness for the Plaintiff, and Lillian G. Raycroft, Attorney for the Plaintiff. The Defendant did not appear in person or by counsel.

HARRIET ETHEL LEITZELL, being duly sworn according to law, testified as follows:

By Lillian G. Raycroft, Esq.:

Q. Now, Mrs. Leitzell, what is your full name?

A. Harriet Ethel Leitzell.

Q. Are you the Plaintiff in this action of divorce?

A. Yes.

Q. What is your husband's name?

A. Floyd Anthony Leitzell.

Q. He is the Defendant in this action. Is that correct?

A. Yes.

Q. What is your place of residence?

A. 106 Wilson Avenue, Du Bois, Pennsylvania.

Q. Is that in Clearfield County?

A. Yes.

Q. What is the residence of your husband? Do you know?

A. No, I don't.

Q. What was your last information concerning his whereabouts?

A. His last known address was on Sandy Street, Du Bois, Penna.

Q. Is that in the United States?

A. Yes.

Q. What place of actual residence to you know for him?

A. France.

Q. In Europe?

A. Yes.

Q. What was the date of your marriage to the Defendant?  
A. September 17, 1958.

Q. Where were you married?  
A. Arlington, Virginia.

Q. Where have you resided since your marriage?  
A. With my mother at 106 Wilson Avenue, Du Bois, Pennsylvania.

Q. Have you ever resided with your husband since your marriage?  
A. No.

Q. Are you a citizen of the United States?  
A. Yes.

Q. How long have you been a resident of Pennsylvania?  
A. Twenty-four (24) years.

Q. Is that all your life?  
A. Yes.

Q. You have never lived anywhere else?  
A. No.

Q. What is your age?  
A. Twenty-four (24) years.

Q. What is your birth date?  
A. June 26, 1936.

Q. What is your husband's age?  
A. I think he is 27,

Q. Do you know his birth date?  
A. August. I don't know what the date is.

Q. Do you know the year?  
A. 1933.

Q. Is your husband a citizen of the United States?  
A. Yes.

Q. Where was he born?  
A. In Du Bois.

Q. What is your occupation?  
A. I am a registered nurse.

Q. What is the Defendant's occupation?  
A. His last occupation I knew was a sheet metal worker for Landair, Incorporated.

Q. Were any children born to your marriage?  
A. Yes, one.

Q. What is the child's name?  
A. Justine Elizabeth Leitzell.

Q. Is the child a girl?  
A. Yes.

Q. When was she born?  
A. March 19, 1959.

Q. With whom has she resided since birth?  
A. With me.

Q. You have alleged in your Complaint, the ground of desertion, Would you tell the Master the circumstances surrounding your marriage and what happened?

A. We were married on a Wednesday, and the next day, Thursday, he left for France. In the first place, a baby was on the way, and we had to get married, and the day after, he left for France. I didn't see him until the following July, when he came back to Du Bois and stayed with his father. I only saw him once, and he said he didn't want anything to do with me, or anybody connected with me. He wanted to stay away from me and would be satisfied. That is the last I saw him.

Q. Has he ever supported you or the child?

A. I don't think he has. He did send me some money.

Q. When?

A. After he went to France. When he came back home in July, he wanted the money back.

Q. Since July, 1959, have you received money or any communication from him?

A. No, nothing.

Q. Now, Mrs. Leitzell, is there any collusion or agreement between you and your husband with respect to getting this divorce?

A. No.

Q. Is there any other action pending for divorce or annulment between you?

A. No.

By the Master, Walter M. Swoope, Esq.:

Q. Have you ever sued your husband for support?

A. No.

Q. This was just a voluntary contribution?

A. Yes.

Q. Is your husband in the armed services?

A. No.

Q. As far as you know, he is in Europe now?

A. Yes.

Q. You haven't had any word from him at all?

A. No.

MRS. BEULAH NELSON, being duly sworn according to law, testified as follows:

By: Lillian G. Raycroft, Esq.:

Q. Mrs. Nelson, what is your full name?

A. Beulah Jane Nelson.

Q. Where do you reside?

A. 106 Wilson Avenue, Du Bois, Pennsylvania.

Q. You are the mother of Harriet Ethel Leitzell?

A. Yes.

Q. Do you know the Defendant?

A. Yes.

Q. You have heard the testimony of your daughter concerning the fact that the day after their marriage, her husband went to Europe and she did not see him or have any communication with him, except for July, 1959, when he came to the house and advised her that he no longer wished to have anything to do with her. Is that correct to the best of your knowledge?

A. Yes.

Q. Has she lived with you since her marriage?

A. Yes.

Q. You are in a position to know if he had been living there or not?

A. Yes.

By the Master, Walter M. Swoope, Esq.:

Q. Mrs. Nelson, you corroborated the Plaintiff in the fact that they have not been together for at least 2 years?

A. No, they haven't.

Q. Your daughter has been living with you all that time?

A. Yes.

There being no further testimony, the taking of testimony was closed.

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me at the Hearing in the above case, and that this is a correct transcript of the same.

Helen Louise Martell  
Stenographer

In the Court of Common Pleas of Clearfield County, Pennsylvania



HARRIET ETHEL LEITZELL

Of November

Term, 1960.

No. 11

VERSUS

FLOYD ANTHONY LEITZELL

**DIVORCE**

And Now, the 27<sup>th</sup> day of Feb. 1961, the

report of the Master is acknowledged. We approve his findings and recommendations; except  
as to \_\_\_\_\_

We, therefore, DECREE that HARRIET ETHEL LEITZELL be  
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-  
tracted between ~~himself~~ and FLOYD ANTHONY LEITZELL  
herself

Thereupon all the rights, duties or claims accruing to either of said parties in pursuance of  
said marriage, shall cease and determine, and each of them shall be at liberty to marry again as  
though they had never been heretofore married, except that \_\_\_\_\_

The Prothonotary is directed to pay the Court costs, including Master's fees, as not-  
ed herein, out of the deposits received and then remit the balance to the libellant. No Decree  
to issue until the costs be fully paid. We do further award to the said HARRIET ETHEL

LEITZELL

<sup>XX</sup>  
her costs expended in this action.

ATTEST

Wm. I. Hagerty  
Prothonotary

BY THE COURT

John H. [Signature]  
President Judge

In The Court Of Common Pleas  
Of Clearfield County, Penna.

No. \_\_\_\_\_ Term 19\_\_\_\_

*Libellant*

*VERSUS*

*Respondent*

**DECREE**

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PA.  
No. 11, November Term 1960

HARRIET ETHEL LEITZELL

VS:

FLOYD ANTHONY LEITZELL

IN DIVORCE

This is an UNCONTESTED Divorce.

Master's Fee \$ 85.00

Advertising \$ 11.62

Costs \$

**PAID**  
Walter M. Swoope, Master

BELL, SILBERBLATT & SWOOPES  
Attorneys at Law

Clearfield Trust Bldg. Clearfield, Pa.