

DOCKET NO. 172

NUMBER TERM YEAR

11 November 1960

Harriet Ethel Leitzell

VERSUS

Floyd Anthony Leitzell

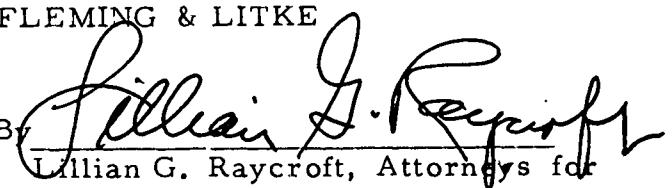
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PA.

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 Praeclipe 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 here-to 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.

IV.

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 ^{is} 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
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

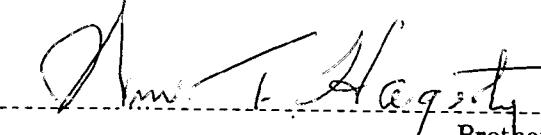
Defendant ,

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.

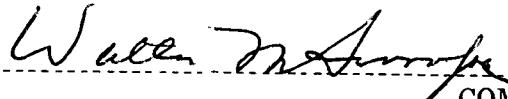
In Testimony Whereof, we have caused the seal of our said Court to be hereunto affixed.

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.


John J. Pentz
Prothonotary

To the Honorable, the Judge, &c.:

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


Walter M. Swoope
SEAL
COMMISSIONER.

No. 11 November Term. 1960

Harriet Ethel Leitzell

VERSUS

Floyd Anthony Leitzell

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, Praecept 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, 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. 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

and HARRIET ETHEL LEITZELL , Plaintiff,

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.

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

~~in the Court of~~

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

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.

Harrriet Ethel Leitzell
Plaintiff

Silvia S. 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. Tauffman

PROTHONOTARY

My Commission Expires
First Monday in Jan. 1964

No. 112 TERM, 1960

Court of Common Pleas

320.

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.

1/29/60

562

W. T. HAGERTY

BROTHMAN & HAGERTY

Attorney for Plaintiff

1/35.00 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

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)

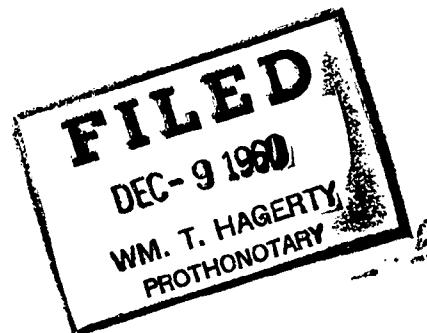
So answers,

Charles G. Cannon

CHARLES G. AMMERMAN
Sheriff

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

Prothonotary



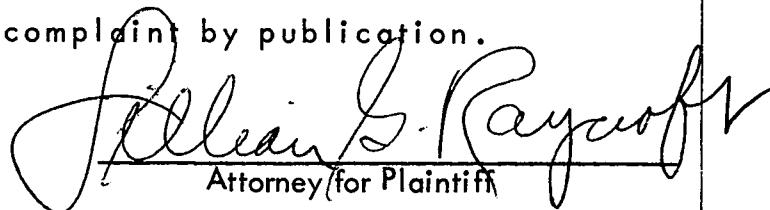
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY,
PENNSYLVANIA

HARRIET ETHEL LEITZELL :
VS. : No. 11, Term, 19 ⁶⁰
FLOYD ANTHONY LEITZELL : In Divo.

PRAECIPE FOR PUBLICATION

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

Direct service of the complaint by publication.



William S. Raycroft
Attorney for Plaintiff

DATED: December 6, 1960

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
No. 11, Dec Term, 1925

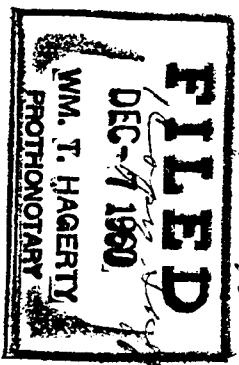
HARRIET ETHEL LEITZELL

VS.

FLOYD ANTHONY LEITZELL

PRACEIPE FOR PUBLICATION

Not for filing in Rec.



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

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.

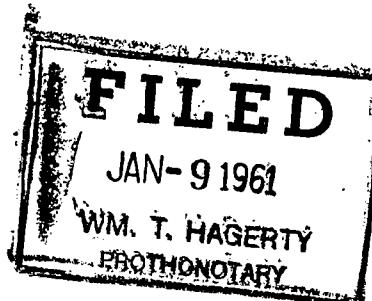
COSTS: Sheriff Ammerman \$7.14
Clearfield Progress \$5.64
(Paid by Pro)

So answers,

Charles G. Ammerman
Sheriff

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

Prathonotary



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31			
TOTAL		141	

THE
PROGRESS

Nº 9845

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

CHARLES G. AMMERMAN, SHERIFF
c/o Sheriff's Office
Clearfield County Courthouse
Clearfield, Pennsylvania

To Accounts Rendered

Inches @

Lines @

141 Words @ .04

\$ 5 64

Miscellaneous

LEITZELL VS LEITZELL

DIVORCE NOTICE

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 re-

quired to defend

CHARLES G. AMMERMAN.

Sheriff of Clearfield County

ILLIAN G. RAYCROFT, At-

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. 1960, 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, and designated agent of the Publisher 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.

William C. Plummer

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

Min. M. Joseph M. 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
Walter M. Swoope, Master

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

Lillian G. Raycroft
Lillian G. Raycroft, Attorney for Plaintiff.

Harriet Ethel Leitzell

**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 *June 31, 1960*

~~days~~ and *February 7th*, A.D., 1961.

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*, 1961.

Meritt J. Edmer

Notary Public
MERITT J. EDMER, Notary Public

IN BORN CLEARFIELD CO. PA
Commission expires Jan. 16, 1962

Statement of Advertising Costs
COURIER-EXPRESS PUBLISHING COMPANY

Publisher of
THE DUBOIS COURIER-EXPRESS
DuBois, Pa.

To *Bell, Silverblatt & Swoope* Dr.
Divr: Leitzell Divorce

For publishing the notice or advertisement
attached hereto on the above stated dates *1/1/62*

Probating same \$.50

Total \$ 11.62

Pd

her's Receipt for Advertising Costs

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

Pa.

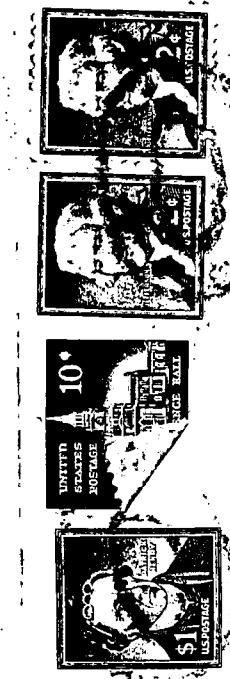
COURIER-EXPRESS PUBLISHING COMPANY
Publisher of
THE DUBOIS COURIER-EXPRESS

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Walter M. Swoope, Master



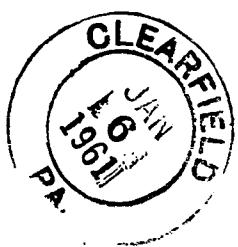
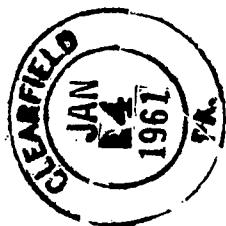
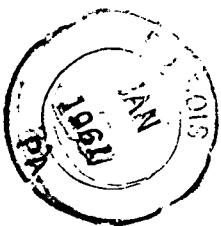
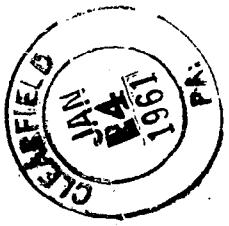
Sheriff of Clearfield County
CLEARFIELD PENNA.

ADMISSIONS ONLY

Floyd Anthony Leitzell, Jr.
Sandy Street
DIBON, Pa.

1164

RETURN RECEIPT REQUESTED
Address
Delivery to



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

HARRIET ETHEL LEITZELL

:

vs.

:

No. 11, November Term, 1960

FLOYD ANTHONY LEITZELL

:

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 do 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

XXXXXX

HARRIET ETHEL LEITZELL } Of November Term, 19 60.

No. 11
VERSUS
FLOYD ANTHONY LEITZELL }

DIVORCE

And Now, the 27th 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~~^{himself} and FLOYD ANTHONY LEITZELL.
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 noted 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

his
her costs expended in this action.

ATTEST

W. T. Hagerty
Prothonotary

BY THE COURT

John P. Reed
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

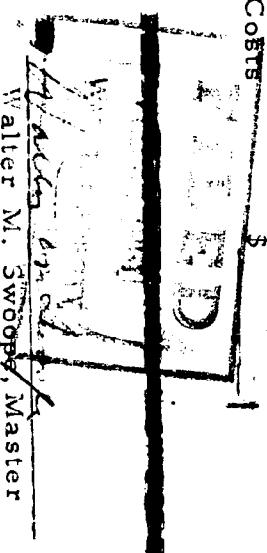
IN DIVORCE

This is an UNCONTested Divorce.

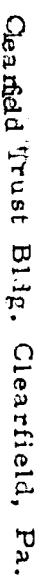
Master's Fee \$35

Advertising \$11.62

Costs


Walter M. Swoope, Master


Belli, SILVERBLATT & SCULPE
Attorneys at Law


Clearfield Trust Bldg. Clearfield, Pa.