

DOCKET NO. 173

NUMBER	TERM	YEAR
<u>106</u>	<u>November</u>	<u>1960</u>

Donald J. Platt

VERSUS

Helen M. Platt

Clearfield County, ss:

The Commonwealth of Pennsylvania, to

DAVID E. BLAKLEY, ESQ.

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

DONALD J. PLATT

Plaintiff ,

and

HELEN M. PLATT

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 the 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.

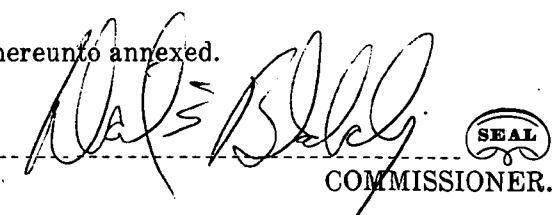
In Testimony Whereof, we have caused the seal of our said Court to be hereunto affixed.

WITNESS, the Hon. John J. Pentz, President of our said Court, at Clearfield, the 13th day of February, 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.


DAVID E. BLAKLEY
SEAL
COMMISSIONER.

No. 106 November Term. 19 60

DONALD J. PLATT

VERSUS

HELEN M. PLATT

COMMISSION

Eugene D. Vallely Attorney.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DONALD J. PLATT :
vs : No. 106 NOVEMBER TERM, 1960
HELEN M. PLATT : IN DIVORCE
*** ***

*

MASTER'S REPORT

The Master, David E. Blakley, Esquire, files the following report in the above stated action of divorce.

I.

SUPPLEMENTAL DOCKET ENTRIES

February 28, 1961 Notice of Master's Hearing issued to Eugene D. Vallely, Attorney for Plaintiff William J. McKnight, Attorney for Defendant Joseph J. Lee, Attorney for Defendant.
March 1, 1961 Notice of continuance of Master's Hearing from March 15 to April 11, 1961 at 10 o'clock issued at the request of William J. McKnight, attorney for Defendant.
April 4, 1961 Notice of further continuance of hearing issued by the Master, said hearing being continued until April 14, 1961 at 10:30 o'clock A.M.
April 14, 1961 Friday, 10:30 A.M. Hearing at which time there were present Eugene D. Vallely, Esquire, Attorney for Plaintiff; Donald J. Platt, Plaintiff and the following witnesses for the Plaintiff: Barbara Hetrick, Ruth Dennison, Norma Tyger, Mrs. Leon Miller, Mrs. Jake Ritchie, Jean Shaffer and Mrs. William Sones. The Defendant was not present at the hearing nor was she represented by counsel.

II.

The Complaint and all filed papers are arranged in the order of filing and attached hereto.

III.

Cause of divorce: Indignities.

IV.

Findings of fact:

1. The Plaintiff and the Defendant were married on

on June 29, 1947 in Indiana, Pennsylvania.

2. The Plaintiff has been a resident of Pennsylvania all his life, and a resident of DuBois and Falls Creek since the marriage, and presently is a resident of DuBois, Clearfield County. The Defendant has been a resident of DuBois and Falls Creek, Pennsylvania since their marriage, and presently resides in Falls Creek.

3. Citizenship. Both the Plaintiff and the Defendant are citizens of the United States, both having been born here.

4. The Plaintiff is thirty-seven years of age, and is an unemployed laborer.

5. The Defendant is thirty-two years of age, and is employed at the Brockway Glass Company as a packer.

6. There were two children born as a result of this marriage, to wit: Merna Mae, age 13, and Donald J. 10, both of whom reside with the Plaintiff at 127 Luther Avenue, DuBois, Pennsylvania.

7. Military service. Neither the Plaintiff nor the Defendant is a member of the military service of the United States. The Plaintiff appeared at the hearing and so testified, and witnesses for the Plaintiff testified that they worked daily at Brockway Glass Company with the Defendant.

8. Findings on the merits: The Master finds from the evidence produced that the Plaintiff is entitled to a divorce on the grounds of indignities.

9. Discussion: It appears from the evidence produced at the time of the hearing, being the testimony of the Plaintiff supported by a number of witnesses for the Plaintiff, that the Plaintiff and Defendant have been separated since November 11, 1960. The Plaintiff first introduced six (6) witnesses, some

of whom were friends of the Defendant who rode to work at Brockway Glass Company with the Defendant and some of whom were neighbors. The witnesses who worked with the Defendant all testified that they had knowledge of the defendant's having an affair with one George Shaffer, and that on many occasions, at 6 o'clock A.M. and at other times, the said George Shaffer would wait for the Defendant at the parking lot at Brockway Glass Company and they would meet. They further testified that on occasions the Defendant would, after meeting with the said George Shaffer, ask them to report her off from work as sick and she would not come to work but apparently leave with George Shaffer and come back at quitting time for the shift and ride home with her girl friends. The witnesses for the Plaintiff who were neighbors of the Plaintiff and Defendant in Falls Creek testified that at all hours of the day and night, George Shaffer's car would be parked in and about the neighborhood, and that he was seen on many occasions going in and out of the Platt home in Falls Creek when the Plaintiff was not there. Jean Shaffer, appeared as a witness for the Plaintiff, she being the wife of the said George Shaffer with whom Defendant was having the affair, and testified to the fact that she had seen them together on many occasions and it was a well established fact that they were going together at all times. The Plaintiff testified that the Defendant, upon being confronted with his knowledge of the fact, refused to stop seeing the said George Shaffer, and has continued seeing him up until the present time, and that it is a well established fact among all his friends and acquaintances that she goes with said George Shaffer steadily. It is apparent that such conduct on the part of the Defendant constitutes indignities to the person of the Plaintiff, indignities which the Plaintiff is not obliged to undergo under the laws of

Commonwealth of Pennsylvania. The testimony shows a continued and persistent course of conduct on behalf of the Defendant which establishes that the love and affection upon which a marriage rests does not exist any longer, and that she has in the past, and continues to perform acts which entitle the Plaintiff to a divorce.

V.

Conclusions of Law:

The Plaintiff and Defendant are legally married, and the marital relationship still subsists between them.

The parties are properly before the Court. The Plaintiff is at present a resident of Clearfield County, Pennsylvania and proper service was made of the complaint, and that the Defendant was adequately represented by counsel, and counsel received notice of the Master's hearing.

The facts found establish grounds for divorce a vinculo matrimonii.

VI.

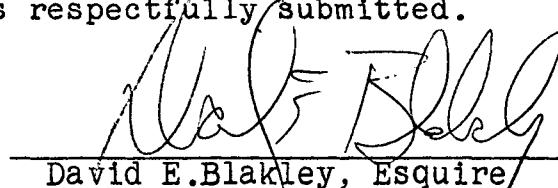
Recommendation:

The Master finds that the evidence of the Complaint relating to the indignities to the person are sustained, and recommends that the prayer of the Plaintiff be granted, and that a decree be entered by the Honorable Court divorcing Donald J. Platt, Plaintiff, and Helen M. Platt, Defendant, from the bonds of matrimony subsisting between them.

VII.

Suggested form of decree:

A suggested form of decree is hereto attached and made a part hereof. All of which is respectfully submitted.



David E. Blakley, Esquire
Master

In the Court of Common Pleas of Clearfield County, Pennsylvania

XXXXXX

DONALD J. PLATT } Of NOVEMBER Term, 19 60

No. 106
VERSUS
HELEN M. PLATT

DIVORCE

And Now, the 36th day of April 1961, the
report of the Master is acknowledged. We approve his findings and recommendations; except
as to _____

We, therefore, DECREE that Donald J. Platt be
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-
tracted between himself and Helen M. Platt.
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 _____

Donald J. Platt his costs expended in this action.
her

ATTEST

John J. Hagerty
Prothonotary

BY THE COURT

John J. Dugan
President Judge

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

No. 106 November Term 19 60

Donald J. Platt Libellant

VERSUS

Helen M. Platt Respondent

DECREE

Attorney

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

DONALD J. PLATT

-vs-

HELEN M. PLATT

NO 106 NOVEMBER TERM, 1960.

IN DIVORCE.

C O M P L A I N T.

1. The name of the plaintiff in this action of divorce is Donald J. Platt, and the name of the defendant is Helen M. Platt.
2. Neither plaintiff nor defendant is a minor or an incompetent.
3. Plaintiff and defendant were married at Indiana, Pennsylvania, on the 29th day of June, 1947.
4. At the time of said marriage plaintiff and defendant were residents of the City of Du Bois, Clearfield County, Pennsylvania, and natural born citizens of the United States; both have resided continuously in the Commonwealth of Pennsylvania for more than thirteen years immediately preceding the filing of this complaint. The present residence and post office address of the plaintiff is 127 Luther Avenue, City of Du Bois, Clearfield County, Pennsylvania, and the present residence and post office address of defendant is Shawmut Road, Brockport, Pennsylvania.
5. There were two children born to the marriage of plaintiff and defendant, namely, Merna Mae Platt, age 12 years, and Donald J. Platt, age 9 years, both residing with the plaintiff at the home of his mother, 127 Luther Avenue, Du Bois, Pennsylvania.
6. The defendant has offered such indignities to the person of the plaintiff as to render his condition intolerable and his life burdensome.
7. There is no collusion between the parties.
8. No prior action of divorce has been instituted by either party.

WHEREFORE, the plaintiff prays that he be freed and separated from the bonds of matrimony heretofore contracted between himself and the

said defendant, and that he be granted a decree of divorce a vinculo matrimonii dissolving the bonds of the said marriage.

Eugene A. Valley
Plaintiff's Attorney.

STATE OF PENNSYLVANIA ss
COUNTY OF CLEARFIELD ss

DONALD J. PLATT, plaintiff in the within stated action of divorce, being duly sworn according to law, says that the facts set forth in the foregoing Complaint are true and correct, and that the same is not brought out of levity or by collusion between himself and the said defendant, but in sincerity and truth for the causes mentioned in the said Complaint.

Donald J. Platt
Plaintiff.

Sworn and subscribed before me
this 19th day of November, 1960.

Homer D. Edner
HOMER D. EDNER, Notary Public
CLEARFIELD, PA.
My Commission Expires: _____

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 106 NOVEMBER TERM, 1960
IN DIVORCE

DONALD J. PLATT

-VS-

HELEN M. PLATT

COMPLAINT

TO THE WITHIN NAMED DEFENDANT:

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

Eugene D. Valley
Plaintiff's Attorney.
cc: [Signature]

Eugene D. Valley
ATTORNEY-AT-LAW
11 NORTH BRADY STREET
DUBOIS, PENNSYLVANIA

The Tuttle Law Print, Publishers, Rutland, Vt.

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

DONALD J. PLATT
-vs-
HELEN M. PLATT

No. 106 November Term, 1960.

AFFIDAVIT OF SERVICE OF COMPLAINT.

November 21, 1960, at 7:00 P. M., served the defendant named in the above entitled action, Helen M. Platt, with the Complaint in Divorce, by handing to her personally a true and attested copy of the same at Crenshaw, Jefferson County, Pennsylvania, and making known to her the contents thereof. The person so served is known to me personally to be the person named in the said Complaint.

So answers.

Robert N. Colley
Constable, 4th Ward, City of
Du Bois, Pennsylvania.

Sworn and subscribed before me

this 30th day of November, 1960.

W. H. Mullings
Oldeman - New York, N.Y.
Myconia exp. Jan. 1962

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

DONALD J. PLATT

:

vs.

:

NO. 106, NOVEMBER TERM, 1960.

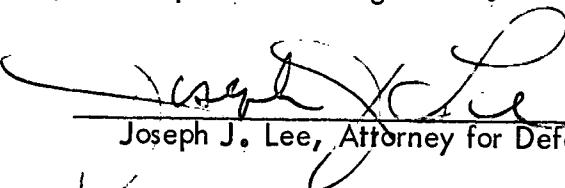
HELEN M. PLATT

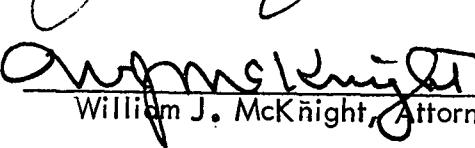
:

IN DIVORCE

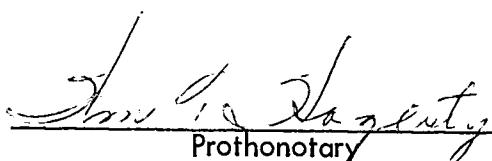
PRAECIPE FOR ENTRY OF APPEARANCE AND RULE FOR BILL OF PARTICULARS
TO THE PROTHONOTARY:

Enter the appearance of the undersigned as attorneys for the Defendant
in the above-entitled matter, and enter a rule on Plaintiff to file a Bill of Particulars
within twenty days after service of the rule, or non pros., according to law.


Joseph J. Lee, Attorney for Defendant


William J. McKnight, Attorney for Defendant

AND NOW, December 12, 1960, a rule is entered on the Plaintiff as
above.


Prothonotary

December 22, Service of Rule hereby accepted and
receipt of copy is hereby acknowledged

Eugene S. Valley
attorney for Plaintiff

No. 106, November Term, 1960
In the Court of Common Pleas
of Clearfield County, Pennsylvania

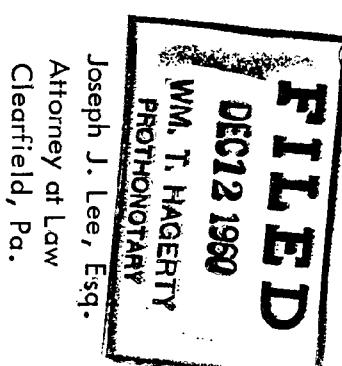
DONALD J. PLATT

vs.

HELEN M. PLATT

PRAECIPE FOR ENTRY OF APPEARANCE

AND RULE FOR BILL OF PARTICULARS



Joseph J. Lee, Esq.
Attorney at Law
Clearfield, Pa.

WILLIAM J. MCKNIGHT

ATTORNEY AT LAW
BROOKVILLE, PENNSYLVANIA

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

DONALD J. PLATT

NO. 106 SEPTEMBER TERM, 1960

-vs-

HELEN M. PLATT

DIVORCE.

BILL OF PARTICULARS.

In compliance with the Rule granted by the Court in the above entitled action, the Plaintiff submits the following bill of particulars:

1. The plaintiff asks for a divorce on the grounds that the defendant has offered such indignities to his person as to render his condition burdensome and his life intolerable.

2. Such conduct on the part of the defendant began approximately two years prior to bringing this action of divorce, to wit; during the summer or fall of 1958, and has continued ever since; during that time the defendant has pursued a course of conduct towards the plaintiff which was continuously characterized with a settled attitude of estrangement and restraint, malice, ill treatment, unkindness, neglect, abuse and malicious insults, and which was inconsistent with the duty of the defendant wife toward the plaintiff as her husband, and was also humiliating, mortifying, and degrading to the plaintiff.

3. The defendant has been carrying on a clandestine romance and consorting with one George Shaffer for approximately two years prior to the commencement of this action, and the said association of the defendant with the said Shaffer has been carried on in a furtive, secretive manner, without the knowledge of the plaintiff until about the first part of October, 1960.

4. During the early part of October, 1960, plaintiff learned of the misconduct of the defendant and her relationship with the said Shaffer and confronted her with his knowledge. A meeting was held with the above mentioned Shaffer and Shaffer's wife in the home of plaintiff and defendant, and defendant and Shaffer admitted the clandestine relationship in the presence of their respective spouses.

5. Plaintiff and defendant consulted with their minister at or about the time of the aforementioned meeting with the Shaffers, and defendant promised plaintiff that the relationship was definitely ended and would not be resumed.

6. Some five or six weeks subsequent to defendant's statement that the relationship was ended, and her promise that it would not be resumed, the plaintiff learned that in the intervening period defendant had been seeing the said Shaffer regularly on her way to and from her employment at the Brockway Glass Company.

7. During the said period from about the first week in October, 1960, until November 11, 1960, defendant met the said Shaffer, in furtherance of their secret relationship, at or near the Brockway Glass Plant as early as five thirty in the morning and as late as twelve midnight going to and leaving the Glass Company premises.

8. On Thanksgiving Day of 1960, defendant and Shaffer were seen in Shaffers' car in Indiana, Pennsylvania, both in the morning and in the afternoon.

9. The relationship of the defendant with the said Shaffer was the cause of Shaffer's wife separating from him in the fall of 1960.

10. Defendant had consorted with and dated at least one other man without the knowledge of her husband, the plaintiff, in the summer of 1958.

11. Since the summer of 1958, the defendant has regularly permitted the said Shaffer to visit her in her home in furtherance of their relationship, in a secret and furtive manner, in the absence of her husband and children, and without the knowledge of her husband, plaintiff herein. The said Shaffer on many occasions drove about the neighborhood, keeping plaintiff's home under observation so that he could know when plaintiff and his children had departed, before entering the house to see the defendant.

12. The said conduct on the part of defendant has caused the plaintiff bitter humiliation, and continues to prove a constant embarrassment both to plaintiff and his children.

George W. Valley
Plaintiff's Attorney.

STATE OF PENNSYLVANIA
COUNTY OF CLEARFIELD

SS

DONALD J. PLATT, the plaintiff, being duly sworn according to law, says that the facts set forth in the within Bill of Particulars are true and correct, to the best of his knowledge, information, and belief.

Donald J. Platt

Sworn and subscribed before me
this 25th day of JAN, 1961.

John R. Blawie
Alderman - W. Boro, Pa
My. com. exp Jan. 1962

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 106 NOVEMBER TERM, 1960

DONALD J. PLATT

-vs-

HELEN M. PLATT

BILL OF PARTICULARS



EUGENE D. VALLEY

ATTORNEY-AT-LAW
11 NORTH BRADY STREET
DUBOIS, PENNSYLVANIA

The Turtle Law Print, Publishers, Rutland, Vt.

Service accepted by copy 2-16-61

*Joseph J. Lee
William M. Straight
Atty. for Def.*

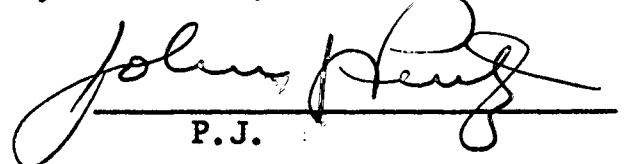
IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DONALD J. PLATT :
VS : No. 106 November Term, 1960
HELEN M. PLATT :
:

ORDER ON PETITION FOR ALIMONY
AND COUNSEL FEES

AND NOW, January 23, 1961, after agreement reached by
counsel for the parties in the above entitled action, the rule to
show cause, heretofore granted in this case, is made absolute,
and the plaintiff is directed to pay to the defendant, or to W.J.
McKnight, Esq., her attorney, the sum of One Hundred Fifty (\$150.00)
Dollars as counsel fees and costs.

By the Court,


John Hug
P.J.

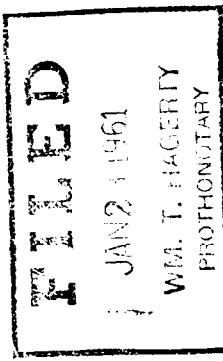
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 106 November Term, 1960

DONALD J. PLATT

VS

HELEN M. PLATT

ORDER ON PETITION FOR ALIMONY
AND COUNSEL FEES



JOSEPH J. LEE
ATTORNEY-AT-LAW
CLEARFIELD, PA.

Donald J. Platt

In the Court of Common Pleas

of Clearfield County, Pa.

versus

Helen M. Platt

No. 106 November Term, 19 60

Pl. Fa., No. 19

And now, December 12

, A. D. 19 60, ~~petition read and~~

~~considered~~ and a rule is granted on Donald J. Platt to file a Bill of Particulars within twenty days after service of the rule, or non pros.

according to law.

Returnable Twenty days

By the Court,

HON. JOHN J. PENTZ, P. J.

Certified from the record this 12th

day of December , 19 60

John J. Pentz
Prothonotary

No. 106 November Term, 1960

Donald J. Platt

vs

Helen M. Platt

Rule On

Donald J. Platt

Attorney for Claimant

Attorney for Plaintiff

Joseph J. Lee

William J. McKnight
Attorney for Defendant

Donald J. Platt

versus
Helen M. Platt

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

No. 106 November Term, 19 60

Pl. Fa., No. 19

And now, December 12, A. D. 19 60, ~~petition~~ ~~hand~~
~~considered~~ and a rule is granted on Donald J. Platt to file a Bill of Particulars within twenty days after service of the rule, or non pros.
according to law.

Returnable Twenty days

By the Court,

HON. JOHN J. PENTZ, P. J.

Certified from the record this 12th
day of December, 19 60

John J. Pentz
Prothonotary

No. 106 November Term, 1960

Donald J. Platt

vs

Helen M. Platt

Rule On

Donald J. Platt

Attorney for Claimant

Attorney for Plaintiff

Joseph J. Lee
William J. McKnight
Attorney for Defendant

Donald J. Platt

In the Court of Common Pleas

of Clearfield County, Pa.

versus

Helen M. Platt

No. 106 November Term, 19 60

Pl. Fa., No. 19

And now, December 12

, A. D. 19 60, ~~provision~~

~~considered~~ a rule is granted on Donald J. Platt to file a Bill of Particulars within twenty days after service of the rule, or non pros, according to law.

Returnable Twenty days

By the Court,

HON. JOHN J. PENTZ, P. J.

Certified from the record this 12th

day of December , 19 60

John J. Nagel
John J. Nagel
Prothonotary

No. 106 November Term, 1960

Donald J. Platt

vs

Helen M. Platt

Rule On

Donald J. Platt

Attorney for Claimant

Attorney for Plaintiff

Joseph J. Lee
William J. McKnight
Attorney for Defendant

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

DONALD J. PLATT :
VS. : NO. 106 November Term, 1960
: DIVORCE
HELEN M. PLATT :

DOCKET ENTRIES

NOVEMBER 21, 1960, COMPLAINT IN DIVORCE, filed: One copy certified to Attorney.

December 12, 1960, Petition of Helen M. Platt for Alimony Pendente Lite, Counsel Fees and Expenses filed by Joseph J. Lee, Esquire, Attorney for the Defendant, a Rule is granted on the Plaintiff to show cause why he should not pay the Defendant Alimony pendente lite and counsel fees and expenses. Returnable Wed. Dec. 21, 1960, at 10 A.M. All proceedings to stay meanwhile. By the Court J. Pentz, President Judge.

December 12, 1960, Rule Issued.

December 12, 1960, On praceipe filed, Joseph J. Lee, Attorney, enters his appearance for the Defendant, and Issued Rule on Plaintiff to file a Bill of Particulars within twenty days after service of the rule, or non pros. according to law. Rule Issued, Dec. 21, 1960.

December 22, 1960, Service of Rule hereby accepted and receipt of copy is hereby acknowledged. Eugene D. Vallely, Attorney for Plaintiff.

December 15, 1960, Service of Rule is hereby accepted and receipt of copy acknowledged. Eugene D. Vallely, Plaintiff Attorney.

Jan 23, 1961, Order on Petition for Alimony and Counsel Fees filed: ORDER; AND NOW, January 23, 1961, after agreement reached by counsel for the parties in the above entitled action, the rule to show cause, heretofore granted in this case, is made absolute, the Plaintiff is directed to pay to the defendant, or to W. J. McKnight, Esq., her Attorney, the sum of One Hundred Fifty (\$150.00) Dollars as counsel fees and costs. By the Court, John J. Pentz, P. J.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

February 16, 1961, Plaintiff's Bill of Particulars, filed by Eugene D. Vallely, Attorney

February 16, 1961, Service accepted by copy, Joseph J. Lee, William M. McKnight, Atty's. for Def.

AND NOW, February 13, 1961, by Motion on the Watch-book, David E. Blakley, Esq., is Appointed Master to take the testimony and report the same with form of Decree. John J. Pentz, President Judge.

February 20, 1961, AFFIDAVIT OF SERVICE OF COMPLAINT: filed: November 21, 1960, at 7:00 P.M. served the defendant named in the above entitled action, Helen M. Platt, with the Complaint In Divorce by handing to her personally a true and attested copy of the same at Crenshaw, Jefferson County, Pennsylvania, and making known to her the contents thereof. The Person so served is known to me personally to be the person named in the said Complaint. So answers, Robert W. Colley, Constable, 4th Ward, City of DuBois, Pennsylvania

Certified from the record this 20th day of February, A. D. 1961.

Wm. T. Hagerty
Prothonotary

Donald J. Platt

versus
Helen M. Platt

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

No. 106 November Term, 19 60

Pl. Fa., No. 19

And now, December 12, A. D. 19 60, petition read and considered and a rule is granted on the Plaintiff to show cause why he should not pay the Defendant alimony pendente lite and counsel fees and expenses

Returnable Wed. December 21, 1960 at 10:00 A.M.

By the Court,

HON. JOHN J. PENTZ, P. J.

Certified from the record this 12th

day of December, 19 60

John J. Penty
Prothonotary

Waiver of Rule except & receipt of copy acknowledged
Eugene D. Valley
attorney for Donald J. Platt

No. 106 November Term, 19 60

Donald J. Platt

vs

Helen M. Platt

Rule 11

Donald J. Platt

Attorney for Claimant

Attorney for Plaintiff

Joseph J. Lee
William J. McKnight

Attorney for Defendant

April 21, 1961. Notice of filing master's Report
is hereby accepted, & same is acknowledged.

Eugene A. Valley
Attorney for Plaintiff

No. 106 NOVEMBER TERM, 1960

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

IN DIVORCE

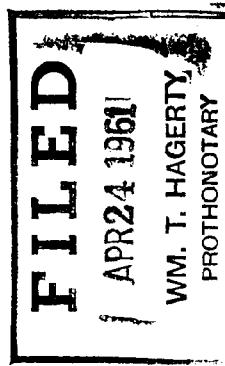
DONALD J. PLATT

VS

HELEN M. PLATT

MASTER'S REPORT

Master's fee - \$85.00



LAW OFFICES
AMMERMAN & BLAKLEY
DUBOIS, PENNA.

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

DONALD J. PLATT :
vs. : NO. 106, NOVEMBER TERM, 1960
HELEN M. PLATT :
:

PETITION FOR ALIMONY PENDENTE LITE, COUNSEL FEES AND EXPENSES
TO THE HONORABLE JOHN PENTZ, JUDGE OF THE SAID COURT:

The petition of Helen M. Platt respectfully represents:

1. That she is the Defendant in this case and that a complaint in divorce was filed in the Court of Common Pleas of Clearfield County, Pennsylvania, and was duly served on the Defendant on November 21, 1960.
2. That by reason of the said suit and the conduct of the Plaintiff, the Defendant will be put to considerable expense in the preparation of her case, in the employment of counsel and the payment of costs.
3. That the Defendant is without sufficient funds to adequately support herself and to meet the costs and expenses of this litigation, and is unable to do so without the financial assistance of the Plaintiff.
4. That the Plaintiff has failed and refused to support the Defendant since the year 1958.
5. That the Plaintiff is at present employed at Horn's Auto Sales at DuBois, Pennsylvania, and is earning approximately \$50 per week.

WHEREFORE, Petitioner prays that your Honorable Court grant a rule on the above Plaintiff to show cause why an order should not be made upon him to pay her alimony pendente lite and to pay her counsel fees, costs and expenses.

"Helen M. Platt"
Helen M. Platt

STATE OF PENNSYLVANIA
SS:
COUNTY OF CLEARFIELD

Helen M. Platt, being duly sworn according to law, deposes and says
that the facts set forth in the foregoing petition are true and correct, to the best of her
knowledge, information and belief.

Helen M. Platt
Helen M. Platt

Sworn to and subscribed before me
this 9 day of December, 1960.

Mrs. Dorothy H. Hile

MRS. DOROTHY H. HILE, Notary Public
CLEARFIELD, PENNSYLVANIA, No. 148
Exp. Oct. 1962

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNSYLVANIA

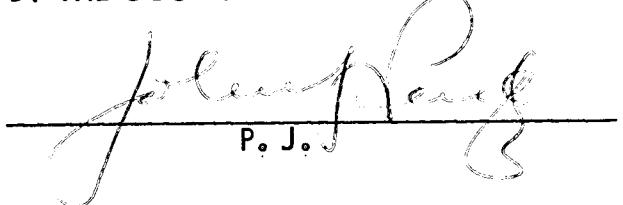
DONALD J. PLATT :
vs. : NO. 106, NOVEMBER TERM, 1960
HELEN M. PLATT :
:

RULE

AND NOW, this 12 day of December, 1960, upon consideration
of the foregoing petition and on motion of Joseph J. Lee, Esquire, Attorney for the
Defendant, a Rule is granted on the Plaintiff to show cause why he should not pay the
Defendant alimony pendente lite and counsel fees and expenses.

Returnable Next ~~Dec 20, 1960~~. All proceedings to
stay meanwhile.

BY THE COURT:



P. J. Lee

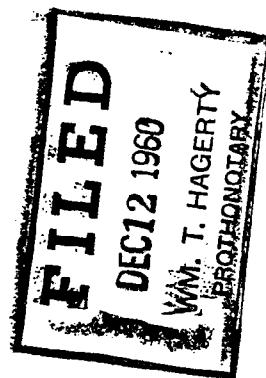
Platt
No. 106, November Term, 1960
In the Court of Common Pleas
of Clearfield County, Pennsylvania

DONALD J. PLATT

VS.

HELEN M. PLATT

PETITION FOR ALIMONY PENDENTE
LITE, COUNSEL FEES AND EXPENSES



WILLIAM J. MCKNIGHT
ATTORNEY AT LAW
BROOKVILLE, PENNSYLVANIA

*Long time ago
I was in love with
the last man you took home
I only have one*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

DONALD J. PLATT :
vs : No. 106 November Term, 1960
HELEN M. PLATT : IN DIVORCE

TESTIMONY OF HEARING

BY MR. BLAKLEY:

It is noted for the record that the following are in attendance:

Eugene D. Vallely, Esq., Attorney for Plaintiff
Donald J. Platt, Plaintiff
Barbara Hetrick, Witness for Plaintiff
Ruth Dennison, Witness for Plaintiff
Norma Tyger, Witness for Plaintiff
Mrs. Leon Miller, Witness for Plaintiff
Mrs. Jake Ritchie, Witness for Plaintiff
Jean Shaffer, Witness for Plaintiff
Mrs. William Sones, Witness for Plaintiff

Will all witnesses and plaintiff stand and be sworn in ?
(all sworn).

BARBARA HETRICK testified as follows:

BY MR. VALLEY:

Q. What is your name ?

A. Barbara Hetrick.

Q. Where do you live ?

A. Reynoldsville.

Q. Do you know Donald J. Platt ?

A. Yes.

Q. Do you know his wife, Helen M. Platt ?

A. Yes.

Q. Where do you work ?

A. Brockway Glass.

Q. I understand Mrs. Platt works at Brockway Glass, is that correct ?

A. That's right.

Q. Have you seen her going to and from work ?

A. Yes, she rides in the same car.

Q. And, at any time while you were riding back and forth to work, did you see Mrs. Platt with George Shaffer ?

A. No.

Q. Did you see her in his company or meet him at any time ?

A. I saw her talk to him.

Q. And at what time of day would that be ?

A. Well, it was when we went to work.

Q. What hours do you work ?

A. Well, we work different shifts every week.

Q. What time does your shift begin in the morning ?

A. Six o'clock.

Q. And what time does the next shift begin ?

A. Noon.

Q. And is there another shift ?

Q. Six P.M.

Q. Have you seen Mrs. Platt talk to George Shaffer when you went to work on the early morning shift ?

A. Yes, sir.

Q. And where would that be ?

A. In the parking lot.

Q. At the Brockway Glass Co. ?

A. Yes.

Q. Do you know how Mr. Shaffer happened to be there ?

A. Why he was there ?

Q. Is he employed at Brockway Glass ?

A. Not that I know of.

Q. Do you know of any reason that he would have to be in the parking lot, before 6 in the morning ?

A. No, sir.

Q. Just what did you see at the time Mrs. Platt talked to Mr. Shaffer ?

A. I just saw her talk to him.

Q. And where would that be ?

A. At his car.

Q. Did she get into the car ?

A. We went on into work and I just saw that she went towards the car.

Q. And how long would that be before you went to work ?

A. Just a matter of minutes.

Q. Then it would be before 6 o'clock in the morning ?

A. Yes.

Q. Have you ever seen Mrs. Platt and George Shaffer together at any other time ?

A. No sir.

MRS. RUTH DENNISON Testified as follows:

Q. Mrs. Dennison, where do you live ?

A. Meynoldsville.

Q. And do you know Donald Platt and his wife Helen M. Platt ?

A. Yes.

Q. Are you employed at Brockway Glass ?

A. I was but I am on leave now.

Q. During the time that you worked at Brockway Glass did Mrs. Platt ride in the same car with you ? And during that time did you ever see Mrs. Platt with George Shaffer ?

A. Only talk to him.

Q. And where was that ?

A. In the parking lot.

Q. At Brockway Glass ?

A. Yes.

Q. And what hours would you see her talk to him in the parking lot ?

A. I saw them in the morning.

Q. But you did see them at the Brockway Glass parking lot on the morning shift ? Before 6 o'clock in the morning ?

A. Yes.

Q. And did you see them meet at any other shift ?

A. No.

Q. Did you ever see them together at any other place ?

A. No.

Q. Would you say how many times you had seen them there ?

A. Several times.

Q. And how long ago would that be ?

A. At least several months ago.

Q. Would it be as late as last summer ?

A. In the fall around there some time.

Q. How long has it been since you worked ?

A. I took my leave on March 3rd.

Q. But you were working last summer and fall ?

A. Yes.

Q. Mrs. Dennison, do you recall one evening that Mrs. Platt rode to work with you and asked you to report her off ?

A. Once, yes.

Q. When you returned from your shift at the plant, did Mrs. Platt ride back to DuBois with you ?

A. Back to Falls Creek.

Q. But she didn't go to work that night ?

A. No.

Q. What shift was that ?

A. From 6 to midnight.

Q. She left the car in which you were riding when you reported for work, and then met you ? She was in the car when you went to work ?

A. She asked me to report her off.

Q. And she rode back with you ?

A. Yes.

Q. You don't know where she went ?

A. I don't know where she went. She said she was going to visit her mother in Indiana but I don't think she went.

Q. Whose car was she riding in ?

A. Mine.

Q. She doesn't have a car of her own ?

A. No.

MRS. NORMA TYGER Testified as follows:

Q. Where do you live ?

A. Reynoldsville.

Q. And are you employed at Brockway Glass ?

A. Yes.

Q. And do you know Donald Platt and Helen Platt ?

A. Yes.

Q. Did you ride to work with Mrs. Platt ?

A. In the same car.

Q. At the times when you reported for work did you see Mrs. Platt and George Shaffer together at any time ?

A. I saw her talking to him.

Q. And where was that ?

A. In the parking lot.

Q. And what time was that ?

A. I just don't remember what times, it was different shifts.

Q. But it was at the early morning shift ?

A. Yes.

Q. Does George Shaffer work at Brockway Glass ?

A. Not that I know of.

Q. Do you know what he does ?

A. No.

Q. Just what did you see ? Did you ever see Mrs. Platt get into Mr. Shaffer's car ?

A. I only saw her get in once.

Q. How long ago would that be ?

A. Last fall, in the late summer.

Q. Did you ever see Mrs. Platt and George Shaffer together at any other time ?

A. I did see them once come out of a side road.

Q. Would that be a private lane ?

A. It was a dirt road, I don't know where it went. It was not a main highway.

Q. Did Mrs. Platt ever talk to you about George Shaffer ?

A. No.

Q. But you did see them together in the Brockway Glass parking lot ?

A. Yes.

MRS. LEON MILLER testified as follows:

Q. Mrs. Miller, where do you live ?

A. In Falls Creek.

Q. Do you work at Brockway Glass ?

A. Yes.

Q. Do you know Don Platt and Helen Platt ?

A. Yes.

Q. Do you ride back and forth with the girls who have testified here this morning ?

A. Yes.

Q. Did you ever see Mrs. Platt meet George Shaffer in the Brockway parking lot ?

A. I saw her talk to him in the parking lot.

Q. At what time of the day would that be ?

A. I can remember one time just before we went on the 6 P.M. shift, one Sunday when we were going on noon to six.

Q. Did you ever see her speak to him at the early morning shift ?

A. I can't say that I remember that.

Q. Do you know what George Shaffer does for a living ?

A. No.

Q. Does he work at Brockway Glass ?

A. I don't believe he does.

Q. And have you ever seen Helen Platt and George Shaffer together at any time other than in the Brockway parking lot ?

A. No.

DONALD J. PLATT (Plaintiff) testified as follows:

Q. What is your full name ?

A. Donald J. Platt.

Q. What is your wife's name ?

A. Helen Maxine Shaffer.

Q. When and where were you married ?

A. Indiana, Pa. June 29, 1947.

Q. Have you and your wife any children ?

A. We have two.

Q. What are their names and ages ?

A. Merna Mae, age 13, and Donald J. is 10.

Q. Where are those children residing ?

A. 127 Luther Ave.

Q. With whom ?

A. With my mother and myself.

Q. Are you supporting your children ?

A. Yes.

Q. What was your wife's residence prior to your marriage ?

A. East Weber Ave. in DuBois.

Q. And where did you live ?

A. 127 Luther Ave, DuBois.

Q. Where have you lived since your marriage ?

A. Different places.

Q. Would you give us those locations ?

A. DuBois, Sandy and Falls Creek.

Q. And what was your last post office address.

A. P.O. Box 101, Falls Creek.

Q. And the street number ?

A. 326 Osburn Avenue, Falls Creek.

Q. How long had you lived there ?

A. Three years.

Q. And before that you had lived in DuBois and Sandy Township ?

A. Yes.

Q. Do you know where your wife was born ?

A. Ernest, Pa. I believe.

Q. And where were you born ?

A. DuBois.

Q. Then you are both American citizens ?

A. Yes.

Q. How long have you lived in Pennsylvania ?

A. All my life.

Q. How old are you and how old is your wife ?

A. I'm 37, and my wife is 32.

Q. What is your occupation ?

A. I'm unemployed right now.

Q. What is your usual occupation ?

A. Laborer.

Q. What is your wife's occupation ?

A. Packer at the Brockway Glass.

Q. Are you living with your wife at the present time ?

A. No.

Q. How long have you been separated ?

A. She left November 11, 1960.

Q. What was the cause of that separation ?

A. She said George Shaffer - is all I can say. Well, every time I turned around he was in the neighborhood, running around the block, setting on the other street. I followed them to Brockway, seen them meet there. It was too much for a

men's nerves to put up with.

Q. Did you have a discussion with your wife about George Shaffer ?

A. Yes, I did, with Mr. Shaffer, Mrs. Shaffer, my wife, myself and the preacher .

Q. What what was the minister's name ?

A. Rev. Larabee from Falls Creek.

Q. And does he have one of the churches down there ?

A. Yes, he did, he transferred now.

Q. What church ?

A. Presbyterian.

Q. At that meeting did you confront your wife with your knowledge of her going with George Shaffer ?

A. I confronted my wife before that ?

Q. And did she deny it ?

A. Yes, six months before.

Q. Did you learn more of the truth of the matter after she had denied it ?

A. Yes. She got bolder.

Q. How did you learn of this ?

A. Well, I had heard of it, and I followed them to Brockway one night. I followed Mrs. Dennison's car. I was behind the two of them, I saw her get out of Mrs. Dennison's car and get into his.

Q. What shift was that ?

A. Midnight shift.

Q. Did you later learn of other places where they had meet and been seen together ?

A. Yes.

Q. And where was that ?

A. Most any place in DuBois or Falls Creek you could see them.

Q. How was that ?

A. Well, I learned that he was in the neighborhood, or at the house when I was in Colorado and California. That was the summer of '59.

Q. And how long were you gone at that time ?

A. I was gone six weeks.

Q. Did you learn of any other occasions that he was at your house ?

A. I guess every time I went out of town he was there.

Q. Do you know whether he visited your home while you were out of the house at work ?

A. I have heard he did.

Q. Were you disabled for some time - hospitalized ?

A. I was hurt in January of 1959.

Q. And were you away from home in the hospital ?

A. I was 8 days in the Maple Avenue Hospital, and went to Pittsburgh and spent 11 days down there and then I had to go back a year later for 8 or 10 days.

Q. Then these times when you were away from home in the hospital were you informed that Mr. Shaffer visited your home ?

A. One Sunday night I was down there I had had three operations and was preparing for the fourth one, and I got a phone call, to this day I don't know who it was, and they told me what was going on.

Q. And have you since your separation seen your wife and George Shaffer together ?

A. Yes sir. I have seen them in the Brockway parking lot. She got into his car and hid. I followed them clear down to the Falls Creek intersection, and she hadn't set up in the car yet, and I seen her in Indiana in his company, and at her

mother's home in his company ?

Q. When did you see him in Indiana ?

A. I seen them Thanksgiving, and I seen them Saturday night before Easter, and I seen them Easter.

Q. What happened on both those occasions ?

A. No much happened. I just got fed up, that's all. Easter I went down and drove past the house and didn't see his car, and hadn't thought of it, and she called her mother and asked if she wanted to see her Easter outfit, and she said Yes, and I went down and went in the back way, and when I went down the road I seen Georg's car coming, and her mother and her boy friend getting them out of there.

Q. That's out of your mother-in-law's house ?

A. Yes.

Q. On Thanksgiving of 1960 where did you see them together ?

A. I seen them at the house when I was going to Pittsburgh on business, and when I got back I seen them up town riding around.

Q. After this meeting with Mr. and Mrs. Shaffer, and the Presbyterian minister, did your wife make any statements concerning her affair with George Shaffer ?

A. The next Sunday morning she said it was all over, and she would have to forget him. I took it for granted she would.

Q. About what date was that conference ?

A. October 15 - it was a Saturday night .

Q. And after your wife's statement that it was all over, did you see her again in Shaffer's company ?

A. No, but I heard they had met four times, and she took a Saturday night off. She came home and told me she had

been at work.

Q. Was this the Saturday night that Mrs. Dennison testified that she reported her off work ?

A. Yes.

Q. Now, do you know of any other occasions when your wife told you she had to attend parties or ?

A. Well, she told me she was going to a shower one evening, and I was going up in the mountains to a groundhog feed, and I came home about 10:30 and when she came home she told me how nice the shower was, and what they had done, - danced, and I was going to have a surprise birthday party, and I called one of her girl friends to ask her to come down, that was during the week, and I called her back on Monday to find out how many was going to be there, and she said she had asked eight but only four of them were going to go, because she hadn't been to the shower. She was supposed to take her projector and show movies, and she never showed up.

Q. And do you know where she was that night ?

A. No. I thought she was at the shower, that's what she told me.

Q. Do you know of any other men that your wife may have dated other than Shaffer ?

A. She was seen getting in another man's car down in Reynoldsville, parked down there, - in the summer of 1958.

Q. How long had she been going with Shaffer when you became aware of it ?

A. I should have been aware of it a week after we moved to Falls Creek, but I wasn't.

BY MR. BLAKLEY :

Q. Now, Mr. Platt, did your wife ever at any time acknowledge having an affair with George Shaffer ?

Q. After that meeting with the minister, she did.

MRS. JAKE (Roberta) RITCHIE Testified as follows:

Q. Where do you live ?

A. Falls Creek.

Q. Do you know Don Platt ? and his wife Helen ?

A. Yes.

Q. Do you live near them in Falls Creek ?

A. Next door.

Q. Do you know George Shaffer ?

A. Yes.

Q. Will you tell whether you had ever seen George Shaffer at the Platt home in Falls Creek ?

A. I seen him go in their house, Yes.

Q. Do you know whether Mr. Platt would be at home ?

A. No, he definitely wasn't.

Q. Would you see Mr. Shaffer around the neighborhood at various times ?

A. Yes, very often.

Q. What was his usual procedure ?

A. Driving around, and at night he would park beside our house.

Q. And do you know what his purpose was in parking there ?

A. No.

Q. How long did he stay ?

A. Well, many times we would go to bed, and the car

would still be parked, at least a couple of hours, or at least that was how long the car would be there.

Q. And what time of day would you see him go into the Platt home ?

A. Usually between 9 and 9:30 in the evening.

Q. When Mr. Platt was away ?

A. Yes.

Q. Do you know at what time he would leave ?

A. No, I don't know - that I couldn't say.

Q. Would his car still be in the neighborhood when you went to bed at night?

A. Many times it was, Yes.

Q. How long ago did you first notice this occur ?

A. I didn't notice him going into their home, but I noticed his car beside our house about a week after they had moved down there.

Q. And when was that, do you recall ?

A. Well, it was three years ago, in October.

Q. Did you ever see Mrs. Platt get into Shaffer's car ?

A. No, I never did. I saw her get out of it, but not into it.

Q. You saw her get out of it at their home ?

A. No, not at their home.

Q. Where did you see her get out of his car ?

A. Between our house and the school house, in the next block.

Q. And what time of day would that be ?

A. It was around 9 o'clock in the morning.

Q. Did you ever see George Shaffer and Mrs. Platt together at any other place ?

A. No.

Q. Just him going into the Platt home during the day when Mr. Platt was away, and you have seen her getting out .. ?

A. No, I didn't say that I saw him during the day go into the house, it was in the evening.

Q. And you didn't know what time he left ?

A. No.

MRS. WILLIAM SONES, testified as follows:

Q. Where do you live ?

A. 320 Deemer Ave. in Falls Creek.

Q. Do you know Donald and Helen Platt ?

A. Yes.

Q. Did you live near their home in Falls Creek ?

A. Practically directly across the street.

Q. Did you see George Shaffer at Mrs. Platt's home at any time ?

A. I saw him go into the house just once, that is all I could say for sure.

Q. Did you ever see Mrs. Platt with George Shaffer ?

A. That was the time. It was very late at night.

Q. Do you recall what time of night ?

A. It was midnight, or close to midnight. It was when Don was in Pittsburgh the last time. Merna had come over to our house, the children were at our house a good part of the time, our having children the same age, and she said her Daddy was very sick and she felt real badly about it and was crying, and I was coming home from DuBois and a car passed me, and it was Mr. Shaffer's car, I was familiar with it, and I drove up around one street, and came down in front of the house and parked, and so did he. There was someone else along, I don't

who, and Mrs. Platt and they were all laughing and enjoying themselves, and they slammed the car doors and went into the house.

Q. You say you were familiar with George Shaffer's car, why were you familiar with it ?

A. Well, he had me scared silly - not only me but many of the other neighbors because it was parked between our house and the next house, it was sort of shaded area like, or at various places where it wouldn't be in front of a street light, and it would be all hours of the day or night, he would be parked there when the kids would be coming home from school. It would usually be late afternoon from 3 on, and it would be parked there late at night, and I had no idea why he was parked there, and I was alarmed because I have girls and everyone else had girls, and you just don't like people parked along the street.

Q. Did you speak to the other neighbors ?

A. Yes, I did, and they were all of the same opinion that he was up to no good, but we didn't know what, we had no idea at that time what the connection was.

Q. But you later learned that he was ... ?

A. Well, he would be parked there late at night, and there would be many times my husband would be away and I was naturally concerned, I just didn't like the idea of somebody being parked close to the house. If someone would come, or my husband would come home and we would turn the porch light on, he would drive off very swiftly. I couldn't get a good look at him, but we did get his license and it was reported to the police, but not having police protection in Falls Creek at the time we wanted to know why anyone would be parking there, and the police asked at the time, are you sure he doesn't have a girl friend and I said I don't think so, I don't know of anybody

around that I would be suspicious of, and then the police called back and informed us who it was and why he was parked there. From that time on I knew he was watching the kids, and for that reason I was relieved.

Q. You learned that he was seeing Mrs. Platt ?

A. Then I saw him many times and he would wait in front of our house and when she would come home from work, or turn on the light or come out on the back porch, then he would drive on and then she would leave the house, but I never saw her getting into the car except once.

Q. She did leave the house ?

A. Yes.

BY MR. BLAKLEY:

Q. Did the police tell you that he had a girl friend ?

A. They didn't tell us who it was, but just gave us a general hint it wasn't too hard to figure it out.

MRS. HAFFER testified as follows:

Q. Mrs. Shaffer, you are the wife of George Shaffer ?

A. Yes.

Q. To your knowledge, did you know that your husband was going with Mrs. Platt ?

A. Well, he denied it - every time I mentioned it to him he would deny everything. I had my suspicions but I didn't have any real proof.

Q. But you did go to the Platts' home in Falls Creek in October and talk to the Platts and the Presbyterian minister, and at that time was your husband accused of going with Mrs.

Platt, and did he deny it ?

A. Yes.

Q. He denied it then ?

A. Yes.

Q. Since then have you learned anything to the contrary ?

A. Well, I only saw them once, and I mentioned to both of them, and I talked to him and I talked to her and they both denied it.

Q. But you did see them ?

A. I did see them.

Q. Were you separated from your husband as a result of this ?

A. Yes.

Q. You separated from him on account of his going with Mrs. Platt ?

A. Yes.