

DOCKET NO. 172

NUMBER	TERM	YEAR
--------	------	------

<u>412</u>	<u>September</u>	<u>1960</u>
------------	------------------	-------------

Earl E. Sager

VERSUS

Ruth Amelia Sager

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

ELMER E. SAGER

\* No. 412, September Term, 1960

-VS-

\*

\*

\*

RUTH AMELIA SAGER

\* IN DIVORCE

PETITION FOR DISCONTINUANCE AND RETURN OF ADVANCED COSTS

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE OF SAID COURT:

The Petition of Elmer E. Sager respectfully represents:

1. Your Petitioner is the Plaintiff in the above-mentioned action.

2. The Complaint in the above action alleging desertion was filed on October 13, 1960 and served personally on the Defendant on November 1, 1960.

3. On October 31, 1960, Plaintiff deposited with William T. Hagerty, Prothonotary, the sum of One Hundred thirty-five Dollars (\$135.00) as deposit for costs.

4. On November 18, 1960, John Scollins, Esq., entered an appearance for the Defendant.

5. On November 27, 1960, John Scollins, Esq., Attorney for Defendant, filed a Petition for Alimony Pendente Lite and Attorneys fee returnable the next Argument Court, but no action was or has been taken on said Petition, and service was accepted on the same by William C. Chase, Esq. Attorney for Plaintiff.

6. Plaintiff desires to discontinue the present proceedings and therefore desires that an Order of Discontinuance be entered.

WHEREFORE, Petitioner prays that your Honorable Court enter an order that the suit be discontinued and ended upon payment of the Prothonotary's Costs and that the costs deposited with the Prothonotary be returned to William C. Chase, Esq., Attorney for the Plaintiff, less the Prothonotary's proper charges.

Plaintiff Elmer E. Sayers

Attorney for Plaintiff

**STATE OF PENNSYLVANIA**

**COUNTY OF CLEARFIELD**

ELMER E. SAGER, Petitioner within named, being duly sworn according to law, deposes and says that the facts contained in the foregoing Petition are true and correct to the best of his knowledge, information and belief.

Elmer E. Sager

Sworn and subscribed to

before me this 3 day of

May , 1961.

Dr. T. Hagerty

## PROTHONOTARY

### My Commission Expires

My commission expires  
1st Monday Jan. 1962

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

ELMER E. SAGER

\* No. 412, September Term, 1960

-VS-

\*

\*

\*

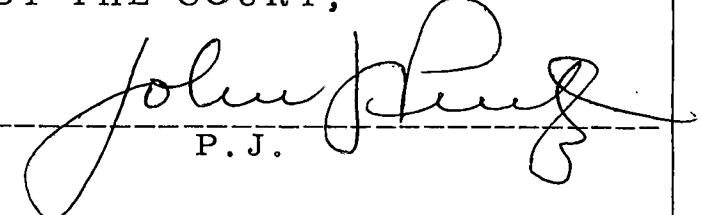
RUTH AMELIA SAGER

\* IN DIVORCE

O R D E R

AND NOW, to wit, this 8th day of May, 1961, upon consideration of the foregoing petition and upon motion of William C. Chase, Esq., Attorney for Plaintiff, it is hereby ordered that the case of Elmer E. Sager vs. Ruth Amelia Sager, to No. 412, September Term, 1960, in the Court of Common Pleas of Clearfield County, Penna., be discontinued and ended upon payment of the Prothonotary's costs, and that the costs and deposits be returned to William C. Chase, Esq., Attorney for Plaintiff, less the Prothonotary's proper charges.

BY THE COURT,

  
John J. Penn  
P.J.

NOW, May 1, 1961, Service accepted by copy and the Order  
of Discontinuance as agreed upon.

*John Sager*  
Attorney for Defendant

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
NO. 412, September Term, 1960  
IN DIVORCE

ELMER E. SAGER

-VS-

RUTH AMELIA SAGER

PETITION FOR DISCONTINUANCE  
AND RETURN OF ADVANCED COSTS

LAW OFFICES OF  
**CHASE & CHASE**  
KEYSTONE BUILDING  
CLEARFIELD, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENN 'A.

ELMER E. SAGER, : No. 412 ~~November~~ Term, 1960  
Plaintiff :  
VS. : IN DIVORCE.  
: *Sept.*  
RUTH AMELIA SAGER, :  
Defendant. :

PETITION FOR ALIMONY PENDENTE LITE,  
COUNSEL FEES AND EXPENSES.

To the Honorable John J. Pentz, President Judge of said Court:

The petition of Ruth Amelia Sager respectfully represents:

1. That she is the Defendant in this case and that a Complaint in Divorce was filed in this case on the 29th day of October, 1960, and was duly served on the Defendant on the 1st day of November, 1960.

2. That by reason of 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 funds to support herself and to meet the costs and expenses of this litigation and is unable to maintain herself during the pendency of this action.

4. That the Plaintiff has failed and refused to support the Defendant since September, 4th, 1959.

5. That the Plaintiff is at present employed at the Tafco Plant at Hyde, Pa., earning approximately \$100.00 per week, as a Sheet Metal worker.

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 and costs.

And she will ever pray.

Ruth Amelia Sager  
Petitioner.

STATE OF PENNSYLVANIA :  
: SS :  
COUNTY OF CLEARFIELD :

Ruth Amelia Sager, petitioner within named, being  
duly sworn according to law, deposes and says that the facts  
set forth in the foregoing petition are true and correct.

And further saith not.

Ruth Amelia Sager

Sworn and subscribed to before me, this 17th day  
of November, A.D. 1960.

Kathryn L. Scollins

RULE.

NOTARY PUBLIC  
My Commission Expires March 8, 1963

AND NOW, this 21 day of Nov 1960, upon con-  
sideration of the foregoing petition and on motion of John  
Scollins, 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 costs.

Returnable next argument court.

BY THE COURT

John P. Pugh  
President Judge.

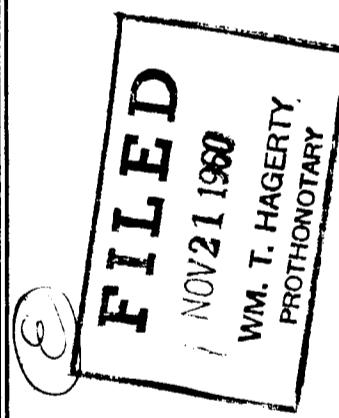
IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENN.  
NO. 412, ~~Sept.~~ Term, 1960

EARL E. SAGER  
Plaintiff

VS.

RUTH AMELIA SAGER,  
Defendant

Petition and Rule  
For Alimony Pendente Lite  
Counsel Fees and Expenses



JOHN SCOLLINS  
ATTORNEY AT LAW  
HOUTZDALE, PA.

Nov-21-1960 Service  
Accepted by Copy and Unsigned  
File with Clerk of Court  
John Scollins  
Attn: Hager

*Sept.*  
No. 412 November Term, 1960

EARL E. SAGER,

Plaintiff

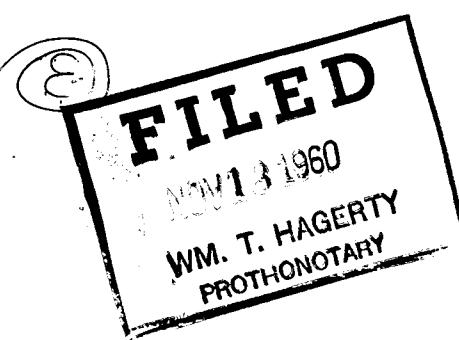
vs.

RUTH AMELIA SAGER

Defendant.

## Praecipe for Appearance

For Defendant



THE PLANKENHORN CO., WILLIAMSPORT, PA.

*In the Court of COMMON PLEAS OF*

**CLEARFIELD COUNTY, PENN'g.**

No. 412, *Sept.* Term, 19 60.

**Plaintiff**

*versus*

**RUTH AMELIA SAGER**

**Defendant**

*To Wm. T. Hagerty, Esq.,*

*Please enter my appearance*

*for Ruth Amelia Sager, Defendant*

*in above stated case.*

*Attorney for Defendant*

*John Segar*

# Affidavit of Service

Elmer E. Sager

No. 412 September Term, 19 60

Complaint In Divorce

vs.

Ruth Amelia Sager

Returnable within \_\_\_\_\_ days  
from date of service hereof.

NOW November 1, 1960 at 4:15 o'clock P.M.

served the within Complaint In Divorce

on Ruth Amelia Sager

at place of employment, 610 George Street, Houtzdale, Pennsylvania

by handing to her personally

Complaint In Divorce

*a true and attested copy of the original \_\_\_\_\_ and made*

*known to her \_\_\_\_\_ the contents thereof.* Costs, Sheriff Ammerman \$12.00  
(Paid by Pro)

*Sworn to before me this 3rd*  
*So answers,*

day of November A. D. 19 60

Charles G. Ammerman  
Prothonotary

Sheriff

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

ELMER E. SAGER \* No. 412 *Sept* Term, 1960  
\*  
-VS- \*  
\*  
RUTH AMELIA SAGER \* IN DIVORCE

C O M P L A I N T

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE OF SAID COURT

Elmer E. Sager files this Complaint in action of Divorce against Ruth Amelia Sager, and for his cause of action states:

1. That Elmer E. Sager is the Plaintiff and Ruth Amelia Sager is the Defendant. Neither is a minor nor an incompetent.

2. The Plaintiff and Defendant were married in Houtzdale, Clearfield County, Penna., on January 31, 1957 by Reverend Bruce Cleaver, a Methodist Minister. There were no children born to this marriage.

3. At the time of their marriage, the Plaintiff was a resident and citizen of the Borough of Clearfield, Clearfield County, Pennsylvania and the Defendant was a resident and citizen of Woodward Township, Clearfield County Pennsylvania.

4. The present address of the Plaintiff is Clearfield, Clearfield County, Pennsylvania, and the present address of the Defendant is Houtzdale, Clearfield County, Pennsylvania.

5. The Plaintiff has resided in the Commonwealth of Pennsylvania for a period of fifty (50) years.

6. That on or about June 3, 1959, the Defendant did willfully and maliciously desert the Plaintiff and has continued said desertion without reasonable cause since that date up until the present time or for over a period of fifteen (15) months.

7. That there is no agreement or collusion between the Plaintiff and Defendant as to the bringing of this Divorce Action.

8. That neither of the parties to this Divorce action have ever commenced or initiated a prior action for divorce.

WHEREFORE, the Plaintiff prays that he be freed and separated from the bonds of matrimony heretofore contracted between him and the said Defendant and be granted a decree of divorce "a vinculo matrimonii" dissolving the bonds of the said marriage.

*Elmer E. Sager*  
Plaintiff  
*Earl E. Chase*  
Attorney for Plaintiff

STATE OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

Personally appeared before me, the undersigned officer, EARL E. SAGER, who, being duly sworn according to law, deposes and says that the facts contained in the foregoing Complaint are true and correct, and the action of Divorce herein prayed for is not brought out of levity nor by collusion between him and the Defendant and for the mere purpose of being freed from and separated from each other, but in sincerity and truth for the cause therein mentioned.

Sworn and subscribed to before  
me this 29<sup>th</sup> day of October,  
1960.

*John J. Murphy*

PROTHONOTARY  
My Commission Expires  
1st Monday Jan. 1962

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
NO. 4124 TERM, 1960  
IN DIVORCE

EARL E. SAGER

-VS-

RUTH AMELIA SAGER

C O M P L A I N T

To The within Named Defendant:

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

*John S. Sager*  
Attorney for Plaintiff

548 C 1 copy to Shaff.

FILED
OCT 31 1960
WM. W. FAGER, CLERK OF COURT
CHAS. F. CHASE, CLERK
CLEARFIELD, PENNSYLVANIA
4, 50

9135