

DOCKET NO. 172

NUMBER	TERM	YEAR
<u>435</u>	<u>September</u>	<u>1960</u>

Ruth M. Johnston

VERSUS

Martin H. Johnston

Clearfield County, ss:

The Commonwealth of Pennsylvania, to ROBERT V. MAINE, 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

RUTH M. JOHNSTON, Plaintiff ,

and

MARTIN H. JOHNSTON 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 30th day of November, in the year of our Lord one thousand nine hundred and sixty

Wm T. Hagerty Prothonotary

To the Honorable, the Judge, &c.:

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

Robert V Maine COMMISSIONER.

No. 435 September Term. 1960

Ruth M. Johnston

VERSUS

Martin H. Johnston

COMMISSION

Ammerman & Blakley  
Attorney.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

RUTH M. JOHNSTON : No. 435 September Term, 1960  
:   
-vs- : IN DIVORCE  
:   
MARTIN H. JOHNSTON :

DOCKET ENTRIES

NOVEMBER 2, 1960, COMPLAINT IN DIVORCE filed. One copy certified to Attorney.

NOVEMBER 18, 1960, CONSTABLE'S RETURN filed: NOW, NOVEMBER 4, 1960, at 4:30 o'clock P.M. served Martin H. Johnston at his residence, 220 N. Brady Street, DuBois, Pennsylvania, a true and attested copy of Complaint In Divorce at No. 435 September Term, 1960, by handing the same to him and leaving with him, personally, and making known to him the contents thereof. So answers, Alex Campbell, Constable.

NOW, November 30, 1960, By motion on the watch-book, Robert V. Maine, Attorney, is appointed Master to take the testimony and report the same with form of Decree.

Certified from the recrd this 30th day of November, A.D., 1960

Wm T. Hayntz  
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

RUTH M. JOHNSTON

-vs-

MARTIN H. JOHNSTON

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No. 435, Sept Term, 1960

IN DIVORCE

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COMPLAINT

The Plaintiff brings this action of divorce on the following causes of action:

1. The name of the Plaintiff is Ruth M. Johnston, and of the Defendant is Martin H. Johnston, both being of full age and competent.
2. The Plaintiff is residing at the Hotel DuBois, DuBois, Clearfield County, Pennsylvania.
3. The Defendant is residing at 220 N. Brady Street, DuBois, Clearfield County, Pennsylvania.
4. Both the Plaintiff and the Defendant are citizens of the United States.
5. The Plaintiff and Defendant were married on July 14, 1951 at Anchorage, Alaska.
6. There were no children born as a result of this marriage.
7. Plaintiff avers that the Defendant, in violation of his marriage vows, and of the laws of the Commonwealth of Pennsylvania, did offer such indignities to the person of the Plaintiff as to render her life burdensome and her condition intolerable.

8. That neither party has instituted prior divorce proceedings in this or any other county, and that there is not now pending any divorce proceedings between the parties.

9. This action is not collusive.

WHEREFORE, your Plaintiff prays that she be granted a divorce a vincula matrimonii from the Defendant.

And she will ever pray.

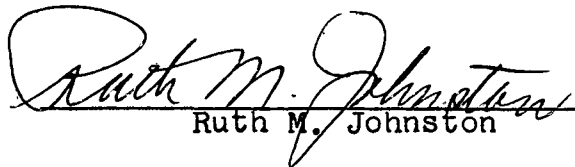
AMMERMAN & BLAKLEY

BY

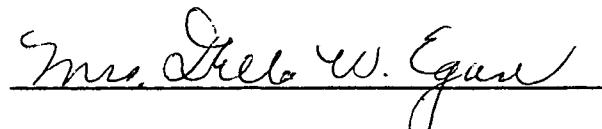
  
Attorney for Plaintiff

STATE OF PENNSYLVANIA :  
: SS  
COUNTY OF CLEARFIELD :

The above named, RUTH M. JOHNSTON, being duly sworn according to law, deposes and says that the statements contained in the above complaint are true, and that the said complaint is not made out of levity or by collusion between her and the said Respondent, Martin H. Johnston, for the mere purpose of being freed and separated from each other, but in sincerity and truth for the causes mentioned in the said libel.

  
Ruth M. Johnston

Sworn to and subscribed  
before me this 15 day of  
November, A.D., 1960.



MRS. DELLA W. EGAN, Notary Public  
DU BOIS, CLEARFIELD CO., PA.  
My Commission expires Sept. 30, 1962

No. 435, Sept Term, 1960

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

RUTH M. JOHNSTON

VS

MARTIN H. JOHNSTON

COMPLAINT

TO: MARTIN H. JOHNSTON:

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

*W. T. Hagerity*  
Attorney for Plaintiff

**FILED**  
NOV 2 - 1960  
WM. T. HAGERITY  
PROTHONOTARY

LAW OFFICES  
AMMERMAN & BLAKLEY  
DUBOIS, PENNA.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

RUTH M. JOHNSTON

vs

MARTIN H. JOHNSTON

:  
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:  
:  
:

No. 435 September Term, 1960

IN DIVORCE

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CONSTABLE'S RETURN

NOW, November 4 1960, at 4:30 o'clock,  
P.M., served Martin H. Johnston at his residence at 220 N.  
Brady Street, DuBois, Pennsylvania, a true and attested copy of  
Complaint in Divorce at No. 435 September Term, 1960, by handing  
the same to him and leaving with him, personally, and making  
known to him the contents thereof.

And so answers,

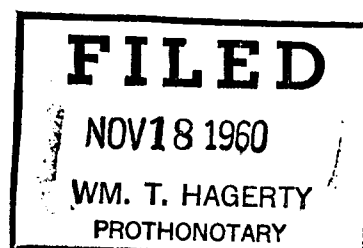
Alex Campbell  
Constable.

COSTS { \$3.25 }  
          { By atty }

Sworn to and subscribed  
before me this 7th day of  
November, 1960.

Mrs. Della W. Egan

MRS. DELLA W. EGAN, Notary Public  
DU BOIS, CLEARFIELD CO., PA.  
My Commission expires Sept. 30, 1962



MASTER'S NOTICE

To: MARTIN H. JOHNSTON, defendant

You are hereby notified that I have been appointed Master in the divorce action of Ruth M. Johnston, Plaintiff, against Martin H. Johnston, Defendant, in the Court of Common Pleas of Clearfield County, Pennsylvania at No. 435 September Term, 1960; that I will hold a hearing for the purpose of taking testimony in said case at my office, No. 228 DuBois Deposit National Bank Building, DuBois, Pennsylvania, at 11:00 a. m., Wednesday, December 21, 1960, when and where you may attend with witnesses, if you so desire.

Robert V. Maine  
Master

Serve of Master Notice Accepted on Behalf of  
Plaintiff this 6th day of December, 1960

Annexed to Bill  
of David B. B. B.  
attys for Plaintiff

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

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

STATE OF PENNSYLVANIA  
COUNTY OF CLEARFIELD

ss:

*M. L. Bloom, Genl. 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 *3rd & 10th*

day of *December*, A.D., 19*60*.

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.*

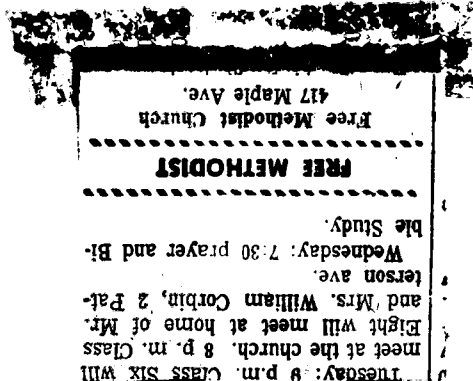
Sworn and subscribed to before me this

*23rd*

day of

*December*

19*60*



*Merritt J. Edm.*

Notary Public

DUBOIS, CLEARFIELD CO., PA.

Statement of Advertising Costs as of Jan. 16, 1960

**COURIER-EXPRESS PUBLISHING COMPANY**

Publisher of

**THE DUBOIS COURIER-EXPRESS**

DuBois, Pa.

To *Robert V. Maine, att.* Dr.  
*(Johnston Divorce)*

For publishing the notice or advertisement  
attached hereto on the above stated dates \$ *8.80*

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

Total . . . . . \$ *9.30*

**Publisher's Receipt for Advertising Costs**

**The DuBois Courier-Express**, a daily newspaper hereby acknowledges receipt of the aforesaid advertising and publication costs, and certifies that the same have been fully paid.

Office: 56-58 West Long Avenue, DuBois, Pa.  
Established 1879, Phone 42.

**COURIER-EXPRESS PUBLISHING COMPANY**

Publisher of

**THE DUBOIS COURIER-EXPRESS**

By

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

I hereby certify that the foregoing is the original Proof of Publication and Receipt for the Advertising costs in the subject matter of said notice.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

RUTH M. JOHNSTON

v.

MARTIN H. JOHNSTON

:  
:  
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:  
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No. 435 September Term, 1960

IN DIVORCE

MASTER'S REPORT

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE:

The undersigned Master, appointed by the Court to take testimony and report the same with form of Decree, represents as follows:

SCHEDULE

1. Complaint in Divorce: Complaint filed November 2, 1960.
2. Service: Service of the Complaint was made upon the defendant on November 4, 1960 by Alex Campbell, Constable, a true and attested copy of the Complaint in Divorce having been handed to the defendant and the contents made known to him at his residence at 220 North Brady Street in DuBois, Pennsylvania.
3. Appointment of Master: Robert V. Maine was appointed Master on November 30, 1960.
4. Date and Place fixed for Hearing: The Master's hearing was scheduled for and took place on Wednesday, December 21, 1960, at 11:00 a. m. in the office of the Master at 228 DuBois Deposit National Bank Building in DuBois, Pennsylvania.
5. Notice of Master's Hearing: Notice of the Master's hearing was published in the DuBois COURIER-EXPRESS on December 3 and 10, 1960, as will appear from the affidavit of the publisher hereto attached and made a part of this report, the present whereabouts of the defendant being unknown.
6. Master's Hearing: The Master's hearing was held at the time and place aforesaid. David E. Blakley, Esquire, appeared for the plaintiff. The plaintiff appeared in person with a witness, Ruth Matthews. The defendant did not appear in person or by counsel. Testimony was taken in question and answer form.

## CAUSE OF DIVORCE

### Indignities

### FINDINGS OF FACT

1. Marriage: The plaintiff and defendant were married on July 14, 1951 in Anchorage, Alaska.
2. Residence and Citizenship: The plaintiff and defendant are natural born citizens of the United States. The plaintiff's present residence is the City of DuBois, Clearfield County, Pennsylvania, where she has resided since September, 1959. The defendant was born and raised in the City of DuBois, Clearfield County, Pennsylvania and was stationed in various States and possessions while in military service during a period of twenty years. His last known address was 220 North Brady Street, DuBois, Pennsylvania, from which he recently departed, and his present whereabouts are unknown.
3. Ages and Occupations: The age of the plaintiff is 55 years and that of the defendant is 52. The plaintiff is employed as a secretary and the defendant is retired.
4. Children: There were no children born to this marriage.
5. Armed Forces: Neither the plaintiff nor the defendant is a member of any branch of the armed forces of the United States, as appears from the testimony attached to and made a part of this report.
6. Findings on the Merits: The evidence submitted in support of the charges of indignities justify the following findings:

(a) The defendant is unemployed and has become a drunkard whose periods of drunkenness last two or three weeks at a time. While the defendant is in a drunken condition it is impossible for the plaintiff to talk to him about anything. As a further result of the defendant's drunkenness the plaintiff enjoyed no social life whatever.

Nearly all of the defendant's pension income was spent for liquor so that the plaintiff found it necessary to work to support herself.

(b) Because of the intolerable condition resulting from the defendant's drunkenness the parties separated on October 22, 1960. Since that time the parties have not cohabited or lived together. In the latter part of November, 1960, the defendant left DuBois and his whereabouts are unknown.

(c) The plaintiff was a good and dutiful wife.

(d) There is no evidence of collusion to obtain a divorce.

(e) No action for desertion and nonsupport was instituted by the plaintiff against the defendant.

#### DISCUSSION

In the opinion of the Master the charge of indignities was established by the testimony of the plaintiff and corroborated by the testimony of a friend, Ruth Matthews. Clearly the defendant's course of conduct was humiliating and inconsistent with his position as a husband to a point where such course of conduct was no longer endurable and any continuation of the marital relationship was intolerable.

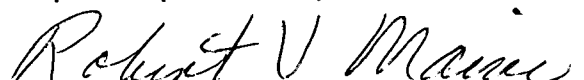
#### CONCLUSIONS OF LAW

1. The Court has jurisdiction of the subject matter and the parties.
2. The defendant is guilty of indignities to the person of the plaintiff, rendering her condition intolerable and life burdensome, contrary to subsection 1(f) of the Act of May 2, 1929, P. L. 1237, Section 10, and (21 PS 10), as supplemented and amended.
3. The proceedings conform to the rules of Court and the requirements of the law.
4. The plaintiff is an injured and innocent spouse.

#### RECOMMENDATION

The Master recommends a Decree granting Ruth M. Johnston a divorce a vinculo matrimonii from Martin H. Johnston, a form of Decree being hereto attached.

Respectfully submitted,

  
Master

In the Court of Common Pleas of Clearfield County, Pennsylvania



Ruth M. Johnston	}	Of	September	Term, 19 60	
		No.	435		
VERSUS					
Martin H. Johnston					

DIVORCE

And Now, the 29th day of Dec 19 60, the report of the Master is acknowledged. We approve his findings and recommendations; ~~except~~ ~~that~~

We, therefore, DECREE that Ruth M. Johnston be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between ~~himself~~ herself and Martin H. Johnston. 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 Master a fee of \$85.00 and his ~~xxx~~ costs expended in this action.

ATTEST  
  
Prothonotary

BY THE COURT  
  
President Judge

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

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

*Libellant*

*VERSUS*

*Respondent*

**DECREE**

*Attorney*



RUTH M. JOHNSTON, being duly sworn according to law,  
testified as follows:

BY MR. BLAKLEY:

Q. Would you state your name ?

A. Ruth M. Johnston.

Q. And you are married, is that correct ?

A. Yes, sir.

Q. To whom ?

A. Martin H. Johnston.

Q. When and where were you married ?

A. On July 14, 1951 at Anchorage, Alaska.

Q. At the time you were married, did you reside in  
Anchorage, Alaska ?

A. Yes, sir.

Q. Did your husband reside there too ?

A. He was in the military service there.

Q. How long have you resided in Clearfield County ?

A. Since September, 1959.

Q. And has your husband resided in Clearfield County  
since that time ?

A. Yes, sir.

Q. Did you come to Clearfield County directly from  
Alaska ?

A. Yes, sir.

Q. You stated your husband was in the military service.  
Is he any longer in the military service ?

A. No, he retired from the military service in  
January, 1959.

Q. And after you came to Clearfield County, he was  
retired ?

A. Yes, he did. At first after his retirement, he received a retirement check from the Air Force. Then later switched to a Veterans' Administration Disability pension, which paid him a little bit more money than the retirement did.

Q. Since you have lived in DuBois, have you worked ?

A. Yes.

Q. Did you have to work for support ?

A. Yes sir.

Q. What did he do with his retirement money ?

A. Spent it as he pleased. His retirement money generally was gone within a week or ten days after he got his check. Most of it I know went for liquor.

Q. How did his excessive drinking affect him ?

A. Well, he at time would get to feeling physically very bad. Also while he was drinking it was impossible for me to talk to him about anything. He would take offense at almost anything I would say, and at the time when he was drinking, we just didn't talk.

Q. What did he do ?

A. Stay in bed most of the time, and when I would get home from work he would either be in bed asleep or he would be out of the house and stay out until all hours of the night.

Q. How long would he stay drunk at a time ?

A. Well I've seen him in the past be drunk for as long as two or three weeks at a time.

Q. Straight through without sobering up ?

A. Yes.

Q. And a great deal of this time he would stay in bed, is that correct ?

A. Yes sir.

Q. Now then, if he wasn't in bed drinking, he was out drinking, you say he stayed out very late ?

A. Yes sir.

Q. Now then, did you ever have arguments over this ?

A. Many.

Q. Did he ever become violent ?

A. Not too much to me personally. There were a few times when I was a little bit afraid of him and there were a few times when I just got out of the house and stayed out all day or several hours in the evening until I thought that he would probably go to bed and be asleep and it would be safe for me to come in.

Q. Did he ever swear and curse when he was drunk ?

A. He doesn't swear or curse very much. He would talk in a mean tone to me, and say things that he wouldn't have said if he was sober, but he isn't a person that swears or curses very much at any time.

Q. During these periods of drinking, there was absolutely no relationship as husband and wife between you ?

A. No sir.

Q. How often would he drink to excess ?

A. As often as he could get money enough to buy the liquor.

Q. Whenever he had the money he was drunk in other words ? When he was out of money he was sober ?

A. Unless he could find somebody else who would buy liquor for him.

Q. You feel that he was a chronic alcoholic ?

A. Yes, I do.

Q. Did you ever talk with him about his drinking when he was sober ?

A. Yes sir, many times.

Q. Was he familiar with his problem ? Did he recognize it as a problem ?

A. He recognized it as a problem although he would not admit that he was an alcoholic.

Q. Did you ever tell him that you were going to separate if he didn't cease his drinking ?

A. Yes, I did.

Q. Did this have any effect on him ?

A. No, it didn't.

Q. Did he care whether or not you separated ?

A. I don't know whether he cared or not. The only remark he would ever make to me when we talked about that, was you go ahead and do what you want to do. Just do anything you want to. You can look after yourself, and if you want to go and look after yourself, that's alright.

Q. Do you feel that the love and affection upon which a marriage is based is completely gone ?

A. Yes sir.

Q. Now, you stated that he was discharged from the service in January, 1959 in Alaska, is that correct ?

A. That's correct.

Q. Did he leave Alaska and come to DuBois here ?

A. He went to California before he came to DuBois. He has some relatives there. At the time he left Alaska, or before he was discharged, or retired from service, he said that he didn't like Alaska and he didn't want to stay there, and I would ask him where he wanted to go and what he wanted to do, and he

didn't have any idea. He just said that he was not going to stay in Alaska. So he left Alaska and first went to California and then a little bit later came to DuBois where he had been born and raised, and after he was in DuBois, he wrote to me. I didn't hear from him while he was in California, but after he came to DuBois he wrote to me and wanted to get back together again and start all over again, and promised that things would be different than they had been before. So I quit my job at that time and came to DuBois.

Q. When he left Alaska there were no definite plans then for your continuing to live together ?

A. No sir.

Q. Was he drinking before he left Alaska ?

A. He had been drunk for about three weeks before he left Alaska, and was drunk at the time he left there.

Q. When you came to DuBois to live with him, did he have any money left ?

A. He had some money, I'm not certain how much, but not nearly as much as when he left Alaska.

Q. In other words, during the entire period of your marriage as far as support, you were pretty much on your own, is that correct ?

A. Yes sir.

Q. You worked all the time you were married ?

A. I have worked all the time except for about one year. About six months after we were married, he was transferred to Florida, and I quit the job that I had at the time we were married and had been working at since, when we went to Florida. I didn't work for the first year or a little over a year that we were in Florida. Then it became necessary for me

to go to work in order to have enough money to live on and I have worked all the time since then, except for the first four or five months that I was in DuBois, and I had not been able to find a job. I didn't try to find a job for the first couple months, and after that I started looking for work, and it was a couple more months before I found work here in DuBois, and I have been working since.

Q. While he was in the service, what was his rank ?

A. He was a staff sergeant when he were married, and was later reduced to airman, 1st class, and was an airman 1st class when he retired.

Q. Why was he reduced to an airman, 1st class ?

A. He got in some difficulties during service, and was given an Article 15 punishment. The difficulty was mostly due to the fact that he was drunk when he was sent out on a special detail as a military honor guard for a funeral of a local person in Florida,,and he was upset because he was assigned to that duty, and was drunk when he went and apparently made quite a scene at the funeral and was given punishment by reduction in grade.

Q. During the time that he was a staff sergeant, did he earn sufficient money to support you had he used it properly ?

A. Yes.

Q. He got an allowance for you, and for quarters - ?

A. Yes sir.

Q. But he used that money for his own purposes, for drinking, is that correct ?

A. Well, the money that he received himself he used as he saw fit. The allowance the government sent, the dependency check to the wife, which I received, and the money that I received in that dependency allowance check, and the money I

received from working, I had to worry about paying bills, and paying our living, and then he has always been able to talk me out of money, and many times would take money out of my purse without saying anything about it. If we had a checking account he would write checks without telling me, and many times I would get a bank statement and find he had written \$70 or \$80 a month worth of checks.

Q. Now then, was he aware of the fact during the last year that if he did not change his ways in regard to drinking that you were going to leave ?

A. Yes sir, I believe that he was.

Q. But this had no effect on him ?

A. No sir.

Q. During the period of your marriage, did you have much social life - friends, etc ?

A. No sir.

Q. Was this due to his drinking ?

A. Yes.

Q. Was it well known throughout your acquaintances and relations that he was an alcoholic ?

A. I think that it was very well known that he was a very heavy drinker.

Q. Did he ever make scenes when you were out together when he was under the influence ?

A. He many times did things that embarrassed me greatly.

Q. Then part of the lack of social life was due to your embarrassment at going out with him, is that correct ?

A. That's correct.

Q. And the general knowledge that he was taken to

heavy drink, was this embarrassing to you among your friends and relations ?

A. Yes sir.

Q. Do you think there is any possibility of you ever resuming marital relationship with him and living with him ?

A. No sir.

Q. Is there any agreement between you and him that you are to get this divorce ?

A. No sir.

Q. I think you said that shortly after you left, he left town, is that correct ?

A. Yes sir.

Q. And he did not cooperate in any way for you to obtain this divorce ?

A. No sir.

Q. Have you ever instituted any prior divorce proceedings ?

A. No sir.

Q. Now, are any of your friends or acquaintances around the City of DuBois acquainted with his behavior ?

A. People that have known him in DuBois before I ever met him and married him, know him and know something of his behavior .

Q. In other words, friends and relatives of his ?

A. That's correct.

Q. Your acquaintances then never observed to a great extent his conduct while you lived in DuBois ?

A. Well, I have made very few acquaintances here, except people that I have worked with. Those people have not been in our home. Most of them don't know him personally. I



might mention that I applied for one job shortly after I came to DuBois and I didn't get the job. I have heard recently that the reason I didn't the job was because the man I had applied to knew my husband, knew that my husband spent most of his time hanging around the bar which was near this place of employment, and this man thought it was not wise for him to employ me.

Q. The lack of making friends in DuBois you feel was due to his drinking and it being impossible to have a social life ?

A. That was the way I felt.

*Ruth M. Johnston*

RUTH MATTHEWS, witness for Plaintiff, being duly sworn according to law, testified as follows:

BY MR. BLAKLEY:

Q. Would you state your name ?

A. Ruth Matthews.

Q. Are you acquainted with Ruth M. Johnston, the plaintiff in this action ? And Martin H. Johnston, her husband ?

A. Yes, I am.

Q. Do you know how long the Johnstons have resided in DuBois ?

A. Approximately a year.

Q. Now then, are you acquainted with their married life ? For the last year ?

A. I have been for the last year, yes.

Q. Now, Mrs. Johnston testified that he husband drank excessively, almost all the time and that their relationship was really not that of husband and wife. Is this your observation ?

A. I think that is true, from what I have seen of Mr. Johnston.

Q. Do you know of your personal knowledge that he does drink to excess practically all the time ?

A. Yes, I do.

Q. Hang out in bars and such places all the time ?

A. That is where he hangs out most of the time.

Q. Have you ever been in their home in DuBois ?

A. No, I haven't,

Q. Is it generally known throughout town among acquaintances and relatives of Mr. and Mrs. Johnston both, that he is drunk most of the time ?

A. Yes, that's true.

Q. Do you feel that this definitely has had an effect on their marriage ?

A. I had an effect on their marriage. I feel she has tried to make a home and he doesn't want to cooperate.

Q. Do you feel that she has done everything possible toward making the marriage a success ?

A. I believe she has.

*Clark Matthews*

4-35-80 1960

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

In Divorce

RUTH M. JOHNSTON

v.

MARTIN H. JOHNSTON

Master's Report  
and  
DECREE

Uncontested

Robert V. Maine,  
Master's fee \$85.00  
Advertisement and  
Affidavit of Publica-  
tion 9.30

\$94.30

**FILED**  
DEC 29 1960  
WM. T. HAGERTY  
PROTHONOTARY

ROBERT V. MAINE  
ATTORNEY-AT-LAW  
DUBOIS, PA.

*Has the 28th day of December, 1960. Since Dec 28 1960  
of Clearfield County  
Atty For Decree*