

DOCKET NO. 173

| NUMBER | TERM | YEAR |
|--------|----------|------|
| 13 | February | 1961 |

William B. Cochran

VERSUS

Dorothy L. Cochran

Clearfield County, ss:

The Commonwealth of Pennsylvania, to

DONALD R. MIKESELL, 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

WILLIAM B. COCHRAN

Plaintiff ,

and

DOROTHY L. COCHRAN

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 14th day of March, in the year of our Lord one thousand nine hundred and sixty-one.

Prothonotary

To the Honorable, the Judge, &c.:

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

COMMISSIONER.

No. 13 February Term. 1961.

WILLIAM B. COCHRAN

VERSUS

DOROTHY L. COCHRAN

COMMISSION

Wm. C. Chase Attorney.

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

| | | |
|--------------------|---|----------------------------|
| WILLIAM B. COCHRAN | : | |
| | : | No. 13 February Term, 1961 |
| VS. | : | |
| | : | IN DIVORCE |
| DOROTHY L. COCHRAN | : | |

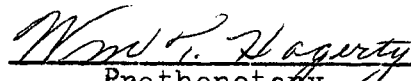
D O C K E T E N T R I E S

FEBRUARY 8, 1961, COMPLAINT IN DIVORCE filed. One copy certified to the Sheriff.

February 9, 1961, Sheriff's Return, filed: NOW, February 8, 1961, at 3:00 o'clock P.M. served the within Complaint In Divorce on Dorothy L. Cochran, at 521 North Street, Curwensville, Pa., by handing to her personally a true and attested copy of the original Complaint In Divorce and made known to her the contents thereof. So answers, Charles G. Ammerman, Sheriff.

NOW, March 13, 1961, By motion on the Watch-book, Donald R. Mikesell, Esq., is appointed Master to take the testimony and report the same with form of Decree. John J. Pentz, President Judge.

Certified from the record this 14th day of March, A. D., 1961.


Prothonotary

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

WILLIAM B. COCHRAN

-VS-

DOROTHY L. COCHRAN

* No. 13, February Term, 1961

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*

IN DIVORCE

MASTER'S REPORT

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

The Master appointed by your Honorable Court to take testimony and report the same with Form of Decree in the above entitled case, respectfully reports as follows:

II

DOCKET ENTRIES AND SCHEDULE

| | |
|------------------|---|
| February 8, 1961 | Complaint in Divorce filed. Two copies certified to Sheriff. Filed in the Court of Common Pleas of Clearfield County, Pennsylvania, to No. 13, February Term, 1961. |
| February 8, 1961 | Complaint in Divorce personally served upon Dorothy L. Cochran, the Defendant, by Charles G. Ammerman, Sheriff of Clearfield County, at 521 North Street, Curwensville, Pa., by handing to her personally a true and attested copy of the original Complaint in Divorce and making known to her the contents thereof. |
| March 13, 1961 | By motion on the Watch Book, Donald R. Mikesell, Attorney, was appointed Master to take the testimony and report the same with Form of Decree. |
| March 30, 1961 | The Master set Thursday, April 20, 1961, at 3:30 o'clock P. M., EST, at the offices of Urey & Mikesell, Clearfield Trust Company Building, Clearfield, Pennsylvania, as the time and place for the hearing. |
| April 3, 1961 | Service of Master's Notice of Hearing on William C. Chase, Esq., attorney for the Plaintiff, accepted and copy received. |
| April 3, 1961 | Service of Master's Notice of Hearing upon William B. Cochran, Plaintiff, accepted and copy received. |
| April 3, 1961 | Notice of Master's Hearing personally served on Dorothy L. Cochran, the Defendant, by Charles G. Ammerman, Sheriff of Clearfield County, at |

18 1/2 Dorey Street, Clearfield, Pa., by handing her a true and attested copy of the original notice of Master's Hearing and making known to her the contents thereof.

April 20, 1961

Hearing on the above matter was held Thursday, April 20, 1961 at 3:30 P. M. in the office of Urey & Mikesell and adjourned to the office of William C. Chase for the purpose of taking testimony. At the time and place set for hearing there appeared: William B. Cochran, Plaintiff; Mrs. Anne O'Conner, and Howard Graham, witnesses for the Plaintiff, and William C. Chase, Esq., Attorney for the Plaintiff.

The Defendant did not appear, nor was she represented by counsel at the hearing before the Master.

III

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

IV

CAUSE OF DIVORCE

Indignities.

V

FINDINGS OF FACT

1. Marriage: The Plaintiff and the Defendant were married on January 24, 1945, by Reverend E. Roy Hauser, a Lutheran Minister, at Clearfield, Pennsylvania.

2. Residence: At the time of their marriage on January 24, 1945, the Plaintiff was a resident of the State of Alabama; the Defendant was a resident of the Borough of Clearfield, Clearfield County, Pa., Following their marriage, they took up their marital domicile at 711 Lawhead Avenue, in the Borough of Clearfield, Clearfield County, Pennsylvania, where they resided until the date of their separation, January 24, 1961.

Following the separation on January 24, 1961, the

Plaintiff resided and still resides at 711 Lawhead Avenue, Clearfield, Clearfield County, Pa.; the Defendant has resided at various places in and about Clearfield and at the time of service of the Master's Notice of Hearing, was residing at 18-1/2 Dorey Street, Clearfield, Pa.

3. Citizenship: The Plaintiff has been a resident of the Commonwealth of Pennsylvania since January 24, 1945. The Defendant has been a resident of Pennsylvania for approximately thirty-nine (39) years. Both parties are citizens of the United States.

4. Age and Occupation: The Plaintiff is forty (40) years of age and is employed as a Shovel Operator for the Lingle Coal Company in Clearfield County, Pa. The Defendant is thirty-nine (39) years of age and her occupation is a housewife.

5. Children: There were three (3) children born to this marriage; Karen Lee Cochran, Born April 25, 1946; William Harrison Cochran, Born August 15, 1948 and Deborah Ann Cochran, Born August 4, 1950. All of the children are residing with the Plaintiff at 711 Lawhead Avenue, Clearfield, Pa.

6. Military Service: The Defendant, as appears by the testimony of William B. Cochran and other witnesses, is not a member of any branch of the Armed Forces of the United States.

7. Findings on the Merits: The grounds for divorce

averred in the Complaint are Indignities to the Person.

A. The Plaintiff and Defendant were married on January 24, 1945.

B. The testimony shows that difficulties between the parties began some time in the year 1948 when the Plaintiff was working away from home. It seems that, at that time, the Defendant started running around with old boy-friends and that the Plaintiff, being informed of the fact by the neighbors, confronted the Defendant with her action and because of the child, the Plaintiff agreed to give the Defendant another chance.

C. In the year 1953, the Defendant began running around with other men and staying away from home on various occasions until the early hours of the morning. The Plaintiff confronted the Defendant with her actions and she admitted that she had been seeing other men. The Plaintiff again discussed the matter with his wife and decided to give her another chance to straighten out and make a success of their marriage.

D. The Plaintiff's occupation as a Shovel Operator with the Lingle Coal Company required him to work different shifts. These shifts were rotated on periods of one (1) week each and it seems that during the time the Plaintiff was working night shift, the Defendant would take advantage of the situation and run around with other men. The Defendants' conduct became common knowledge in the neighborhood and it eventually got back to the Plaintiff when he started to check on the Defendant's whereabouts and found that she was meeting another man.

E. On the night of January 23, 1961, the Defendant met another man and was seen by a neighbor with this other man in an automobile. The Plaintiff and Mr. Graham attempted to follow them but were un-successful.

F. The testimony indicates that the Defendant's running around with other men, prior to the separation, was common knowledge to the neighbors and other persons who were acquainted with the Plaintiff, which caused the Plaintiff to be humiliated and embarrassed.

G. The Defendant, following the separation, has been very brazen in her conduct and this conduct has made the Plaintiff's marital status a matter of common talk among the friends and acquaintances of the Plaintiff and has caused the Plaintiff to be in a constant state of embarrassment and humiliation.

H. Prior to the separation, on two (2) different occasions, the Plaintiff talked with the Defendant in an effort to have her straighten out, but was unsuccessful in his attempts to save the marriage. The Plaintiff has made every effort to make a go of his marriage and has always provided adequate support and a comfortable home for his family.

I. The Defendant has brought no action against the Plaintiff in this County for desertion or non-support.

J. Neither the Plaintiff nor the Defendant has ever applied in this Court or any other Court for a Divorce from the other party in this action.

K. The Plaintiff's story is corroborated by two disinterested witnesses, who were acquainted with the Defend-

ant's actions and conduct at various times and places in and about the marital domicile.

L. It appears that the Defendant had no sense of fidelity and completely disregarded the feelings and sensibilities of her husband. Her continuous running around with other men became common knowledge of the Plaintiff's friends and acquaintances in and about his home in Clearfield and was known by his daughter, who is fifteen (15) years of age, much to the humiliation and embarrassment of the Plaintiff.

M. The Defendant's conduct was unwarranted and her treatment of the Plaintiff has been such as to render the condition of any man of decent morals and reputation in his community intolerable and his life burdensome.

N. The Plaintiff is the injured and innocent spouse.

O. There is no agreement between the parties in reference to the procuring of a divorce.

8. Discussion: Indignities has been defined by the Courts as vulgarity, unmerited reproach, habitual contumely, studied neglect, intentional incivility, manifest disdain, abusive language, malignant ridicule, and every other plain manifestation of settled hate and estrangement.

In the case of Trimbur Appellant vs. Trimbur reported in Vol. 171 Pa. Superior Court at Page 541, the Court at page 546 states:

" An indignity to the person is an effront to the personality of another, a lack of reverence for the personality of one's spouse. It consists of various acts, so varied in their nature and impact that the Courts have not undertaken to define the offense in more than general terms. Crawford vs. Crawford, 64 Pa. Super., 30; Breene vs. Breene, 76 Pa. Super, 586. But

the offense is complete when a continued and persistent course of conduct demonstrates that the love and affection upon which the matrimonial status rests has been permanently replaced by hatred and estrangement. For then, when the foundation has collapsed the super structure falls, and inevitably the marital conditions become intolerable and life is indeed burdensome."

It is also to be noted, that in the case of Smith vs. Smith, Appellant reported in Vol 157 Pa. Superior Court at Page 582, the Court on Pages 586 and 587 held: (See also Lowe vs. Lowe, 148 Super. Court 439)

That the Defendant's long, intimate and public association with another man constituted an indignity even though it began after the parties had separated.

It is the opinion of the Master that the Defendant persisted in a course of conduct which manifested studied neglect and settled hatred and estrangement, which rendered the Plaintiff's condition intolerable and his life burdensome. Thus the Plaintiff has established a Cause of Action for Divorce on the grounds of Indignities to the Person.

VI

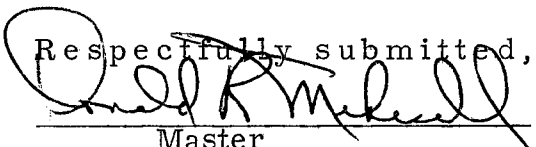
CONCLUSIONS OF LAW

1. The parties to this proceeding were legally united in marriage.
2. This action was properly brought and the Court has jurisdiction of the parties.
3. There is no evidence of collusion in this case.
4. The Defendant is guilty of such Indignities to the Person of the Plaintiff as to render the Plaintiff's condition intolerable and his life burdensome.

VII

RECOMMENDATION

The Master recommends that an absolute divorce be granted.

Respectfully submitted,

Master

In the Court of Common Pleas of Clearfield County, Pennsylvania



WILLIAM B. COCHRAN

VERSUS

DOROTHY L. COCHRAN

Of February Term, 1961

No. 13

DIVORCE

And Now, the 25th day of April 1961, the report of the Master is acknowledged. We approve his findings and recommendations; except as to

We, therefore, DECREE that WILLIAM B. COCHRAN be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between himself and DOROTHY L. COCHRAN. 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 WILLIAM B. COCHRAN his costs expended in this action.

ATTEST

Prothonotary

BY THE COURT

President Judge

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

No. 13, February Term 19 61

WILLIAM B. COCHRAN
Libellant

VERSUS

DOROTHY L. COCHRAN
Respondent

DECREE

Donald R. Mikesell
Urey & Mikesell *Attorney*

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

WILLIAM B. COCHRAN

* No. /3

February Term, 1961

-VS-

DOROTHY L. COCHRAN

* IN DIVORCE

C O M P L A I N T

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

WILLIAM B. COCHRAN files this Complaint in action of
Divorce against DOROTHY L. COCHRAN and for his cause of
action states:

1. That William B. Cochran is the Plaintiff and
Dorothy L. Cochran is the Defendant. Neither is a
minor nor an incompetent.

2. The Plaintiff and Defendant were married at
Clearfield, Clearfield County, Pennsylvania, on January
24, 1945 by Reverend E. Roy Hauser, a Luthern Minister.
There were three children born to this marriage:

1. Karen Lee Cochran, born April 25, 1946
2. William Harrison Cochran, born August 15, 1948
3. Deborah Ann Cochran, born August 4, 1950.

All three (3) children are now living with the Plain-
tiff at his residence at 711 Lawhead Avenue, Clearfield,
Pennsylvania.

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

4. The present address of the Plaintiff is 711 Law-
head Avenue, Clearfield, Clearfield County, Pennsylvania,

and the last known address of the Defendant was 711 Lawhead Avenue, Clearfield, Clearfield County, Pennsylvania.

5. The Plaintiff has resided in the Commonwealth of Pennsylvania for a period of over fifteen (15) years.

6. The Plaintiff avers that beginning on or about 1948 and continuing up to the present time, the Defendant did offer such indignities to the person of the Plaintiff, the insured and innocent spouse, as to render his condition intolerable and life burdensome.

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 the said Plaintiff and Defendant and be granted a decree of divorce a "vinculo matrimonii" dissolving the bonds of the said marriage.

William R. Cochran
Plaintiff

John C. Chase
Attorney for Plaintiff

STATE OF PENNSYLVANIA

COUNTY OF CLEARFIELD

Personally appeared before me, the undersigned officer, WILLIAM B. COCHRAN, 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.

William B. Cochran

Sworn and subscribed to

before me this 2nd day of

Feb, 1961.

Wm T. Hagerty

PROTHONOTARY

My Commission Expires
1st Monday Jan. 1962

13 Feb 1961
IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
NO. February Term, 1961
IN DIVORCE

WILLIAM B. COCHRAN

VS

DOROTHY L. COCHRAN

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.

Wm. T. Hagerty
Attorney for Plaintiff

1 Copy with 6 Mf

FILED
FEB 8 - 1961
WM. T. HAGERTY
LAW OFFICES OF
CHASE & CHASE
KEYSTONE BUILDING
CLEARFIELD, PENNSYLVANIA

135.00 by atty.

Affidavit of Service

William B. Cochran

vs.

Dorothy L. Cochran

No. 13 February Term, 1961

Complaint In Divorce

Returnable within _____ days
from date of service hereof.

NOW February 8, 1961 at 3:00 o'clock P.M.

served the within Complaint In Divorce

on Dorothy L. Cochran

at 521 North Street, Curwensville, Pa.

by _____
handing to her personally

a true and attested copy of the original Complaint In Divorce _____ and made

known to _____ her _____ the contents thereof.

Costs. Sheriff Ammerman
(Paid by Pro)

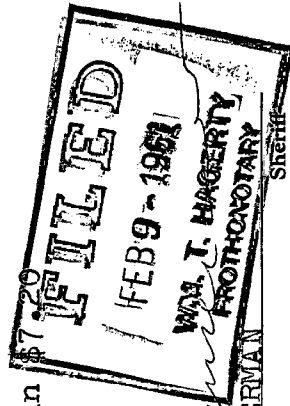
Sworn to before me this 9th

day of February A. D. 19 61

Wm. J. Hagerly
Prothonotary

So answers,

Charles G. Ammerman
CHARLES G. AMMERMAN
Sheriff



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

William B. Cochran

No 13 Feb Term 1961

vs

Dorothy L. Cochran

Notice In Masters Hearing

(Sheriff,s Return)

Now, April 3, 1961, at 7:10 P.M. served the within Notice In Masters Hearing on Dorothy L. Cochran at 18 1/2 Dorey St, Clearfield, Pa. by handing to her personally a true and Attested copy of the original Notice In Masters Hearing, and made known to her the contents thereof.

Costs Sheriff Ammerman \$10.00
(Paid by Atty Milesell)

So Answers,

Charles G. Ammerman
Charles G. Ammerman
Sheriff.

Sworn to before me this 4th
day of April A.D. 1961.

Wm T. Hagerty
Prothonotary.

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM B. COCHRAN

vs.

DOROTHY L. COCHRAN

:
:
:
:
:

No. 13 February Term, 1961

IN DIVORCE

NOTICE OF MASTER'S HEARING

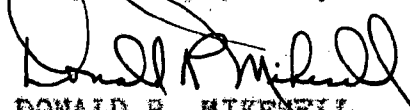
To: Mrs. Dorothy L. Cochran
521 North Street,
Curwensville, Pennsylvania

Dear Madam:

This is to advise you that I have been appointed Master by the Court in the above entitled case to take the testimony of the witnesses and to make a report on the same, together with a recommendation.

For this purpose I have fixed Thursday, April 20, 1961, at 3:30 o'clock P.M. Eastern Standard Time at my office in Room 21 in the Clearfield Trust Company Building, Clearfield, Pennsylvania, as the time and place for the hearing, when and where you may appear with your witnesses and be heard if you so desire.

Very truly yours,


DONALD R. MIKESELL
Master

Dated at Clearfield,
Pennsylvania, this
30th day of March, 1961.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM B. COCHRAN

vs.

DOROTHY L. COCHRAN

No. 13 February Term, 1961

IN DIVORCE

NOTICE OF MASTER'S HEARING

William C. Chase, Esq. Attorney

To:

Mr. William B. Cochran
711 Lawhead Avenue,
Clearfield, Pennsylvania

Mrs. Dorothy L. Cochran
521 North Street,
Curwensville, Pennsylvania

Dear

This is to advise you that I have been appointed Master by the Court in the above entitled case to take the testimony of the witnesses and to make a report on the same, together with a recommendation.

For this purpose I have fixed Thursday, April 20, 1961, at 3:30 o'clock P.M. Eastern Standard Time at my office in Room 21 in the Clearfield Trust Company Building, Clearfield, Pennsylvania, as the time and place for the hearing, when and where you may appear with your witnesses and be heard if you so desire.

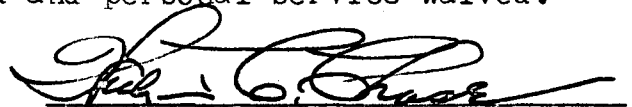
Very truly yours,



DONALD R. MIKESELL
Master

Dated at Clearfield,
Pennsylvania, this
30th day of March, 1961.

NOW *April 3rd*, 1961, service of the above Notice of Hearing in Divorce is accepted and personal service waived.



William C. Chase,
Attorney for Plaintiff

William B. Cochran
William B. Cochran, Plaintiff

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

WILLIAM B. COCHRAN

* No. 13

February Term, 1961

-VS-

DOROTHY L. COCHRAN

*
*
*
* IN DIVORCE

MASTER'S HEARING

Hearing on the above matter was held Thursday, April 20, 1961 at 3:30 P. M. in the office of Urey & Mikesell and adjourned to the office of William C. Chase for the purpose of taking testimony.

Appearances: William B. Cochran, Plaintiff; Mrs. Anne O-Conner and Howard Graham, witnesses for the Plaintiff, and William C. Chase, Esq., Attorney for the Plaintiff. Defendant did not appear either in person or by counsel.

The Plaintiff, William B. Cochran and witnesses, Anne O'Conner and Howard Graham were sworn in by the Master.

WILLIAM B. COCHRAN, being duly sworn according to law, testified as follows:

BY MR. CHASE:

Q. Your name is William B. Cochran?

A. Yes.

Q. What is your age and occupation?

A. My age is forty (40) years and my occupation is a Shovel Operator.

Q. Where do you live?

A. 711 Lawhead Avenue, Clearfield, Pa.

Q. Is your wife's name Dorothy L. Cochran?

A. Yes.

Q. What is your wife's age and occupation?

A. Her age is thirty-nine (39) and her occupation is a housewife.

Q. Where is your wife living at present?

A. Out in Eastend somewhere, I can't give you the correct address.

Q. Do you know who she is living with?
A. Max O'Conner.

Q. Is that in a trailer court?
A. Yes, it is.

Q. When, where and by whom were you married?
A. Married by Rev. Hauser in Clearfield in 1945, January 24th.

Q. Were there any children born to this marriage?
A. Yes, three (3).

Q. What are the names and ages of these three children?
A. Karen Lee Cochran, born April 25, 1946; William Harrison Cochran, born August 15, 1948, and Deborah Ann Cochran, born August 4, 1950.

Q. Where are these three children living at present?
A. At home.

Q. With whom?
A. Me.

Q. At the time of your marriage, were you a resident and citizen of Pennsylvania?
A. No, I was in the service at that time.

Q. How long have you lived in Pennsylvania?
A. Since July, 1945.

Q. At the time of your marriage, where did your wife live?
A. 208 West Sixth Avenue, Clearfield, Pa.

Q. After your marriage in 1945, did you and your wife go to housekeeping?
A. Yes.

Q. Where?
A. 711 Lawhead Avenue, Clearfield, Pa.

Q. Then you have lived there ever since?
A. Yes, we have.

Q. When was the first trouble between you and your wife after your marriage?
A. The year 1948.

Q. What occurred in 1948?
A. Well, I was boarding away and she started running around with boy friends and I found out through the neighbors and I then talked to her and she admitted it. I then took her to attorney Thompson and it was at that time that I had the house taken out of her name.

Q. Did she admit it?

A. Yes.

Q. Did this embarrass you in any way?

A. Yes, it was humiliating and it was hard to take, but we had the one child and because of that, I said I would give her another chance.

Q. Who told you about this?

A. Friends told me about it.

Q. How did this affect you?

A. I felt un-happy about it and it affected my home life to a certain extent. It also embarrassed and humiliated me.

Q. But you did give her another chance?

A. Yes.

Q. When was the next time you had trouble with your wife?

A. We got along until the year 1953.

Q. What happened at that time?

A. I then caught her running around again, one night she was supposed to go to a rub doctor and she didn't come home right away, and I was worried, and she didn't come home until 8:00 A.M. the next day.

Q. Do you know who she was with?

A. She was out with a salesman, (I found this out later) that worked for Boston Furniture Company.

Q. At that time, were all your children born?

A. Yes.

Q. What happened then?

A. Well, I figured I had the three children now, and I had stood it that long and that I would give her another chance and hope that she would change.

Q. So, did you try again for the sake of the children to get along?

A. I did.

Q. When was the next time that you found out that she was not conducting herself properly?

A. September, 1960.

Q. What happened at that time?

A. In September, 1960, she was supposed to go to the Rub Doctor and she didn't come home when she should have, and I became worried, and so I came over town after her, and when I came on Second Street, I saw my car coming around the corner, and this other car was following her and he followed her almost to my

house and then I guess this fellow saw me, because he turned and came back toward town.

Q. Did she ever admit she was running around with him?
A. Not up until that time.

Q. Did she then admit it?
A. Yes, she admitted it.

Q. Did any of your friends tell you about this?
A. Yes.

Q. Did any of your neighbors?
A. Yes.

Q. Did you find out she was running around while you were working night shift?
A. Yes.

Q. By whom were you employed at that time?
A. Lingle Coal Company.

Q. Did you work all three shifts?
A. Yes, at that time?

Q. Were those shift changes every three weeks?
A. Yes. Every three weeks I worked night shift.

Q. Then she was running around during this time you worked night shift?
A. Yes, she was running around with Max O'Conner.

Q. How did this affect you?
A. I was disgusted and humiliated and all the neighborhood knew about it and well, I was ashamed to be seen by the neighbors.

Q. On January 24, 1961, tell us what happened on that occasion?

A. That morning about 9:00, I told her to get out.

Q. What happened the night before?

A. That's when Mr. Graham here saw her getting in a car along West Sixth Avenue, and we thought we could follow them and see where they parked, but they got away from us.

Q. Did you see her get in the car?
A. We did.

Q. Then did she admit it?
A. The next morning she did.

Q. Did she tell you how long she had been with O'Conner?
A. No.

Q. Prior to January 24, 1961, you had, on two different

occasions, in 1948 and 1953, when you heard about her running around, given her chances to reform and save your home?

A. I did.

Q. On January 24, 1961, were you able to continue to live with your wife under these conditions?

A. No, I wasn't.

Q. How did it affect you?

A. It broke up my home and I lost all my love for her. A Mother shouldn't set an example like that for her children to see, especially with one daughter as old as ours.

Q. Your oldest daughter is fifteen (15)?

A. Yes, she is.

Q. Has she ever told you, since your wife left, about her running around?

A. Yes, she said she would have told me about it before, but she was afraid to tell me, because she was afraid I would leave, and they would be left with my wife.

Q. All during your married life, have you been regularly employed?

A. Yes, I have.

Q. Have you ever given your wife any reason or cause for her actions over this period of time?

A. No, not that I know of.

Q. Do you own your own home?

A. I do.

Q. As a shovel operator, you have ample earnings?

A. I have.

Q. Did your wife ever complain about not having enough?

A. She would complain about having to have a new dress.

Q. How did your wife treat your children?

A. Good, up until the last while back, when she found out the girl had told me she was running around, then she started mis-treating them.

Q. What did she do?

A. She was always threatening them and yelling and gave them a few beatings. A time or two they were locked out of the house after dark, when she didn't come home, and I was working night shift.

Q. Since she has left, then they have told you this?

A. Yes.

Q. This all occurred when you were working night shift?

A. Yes.

Q. Your wife is not in the Armed Forces of the United States?

A. No.

Q. Do you have any agreement or understanding between you and your wife as to the bringing of this divorce?

A. No, except I told her I was going to get a divorce.

Q. I think you consulted me prior to instituting a divorce action and ordering her out of the house?

A. Yes.

BY THE MASTER: DONALD R. MIKESELL.

Q. When was the last date you lived with your wife?

A. January 23, 1961.

Q. You haven't lived with her as husband and wife since that time?

A. No.

MRS. ANNE O'CONNER, being duly sworn according to law, testified as follows:

BY MR. CHASE:

Q. What is your name?

A. Mrs. Anne O'Conner.

Q. Where do you live?

A. 545 North Street, Curwensville, Pa.

Q. Are you married?

A. Yes.

Q. What is your husband's name?

A. Max O'Conner.

Q. Are you acquainted with Mrs. Cochran?

A. Yes.

Q. Has she ever visited your home?

A. Yes.

Q. Was this when you and your husband were living together?

A. Yes.

Q. Did you have a hearing yesterday on desertion?

A. Yes.

Q. Do you know where your husband is living at present?

A. The papers from the Court House stated 1816 1/2 Dorey St., Clearfield, Pa.

Q. Do you know who is living with him?

A. I couldn't swear, but heard it is Mrs. Cochran.

- Q. When was the last time she came to your home?
A. On January 24, but she had been there prior to that time, and she came up and saw him and wanted him to make a choice between her or I.
- Q. Did she make any admissions at that time?
A. She admitted to me that she had been running around with him.
- Q. How long before January 24, 1961 had she been coming up there?
A. About a month.
- Q. Then the last time, she admitted she was running around with your husband?
A. Yes.
- Q. Do you know of any agreement between Mr. and Mrs. Cochran as to the bringing of this divorce action?
A. No.

HOWARD GRAHAM, being duly sworn according to law, testified as follows:

BY MR. CHASE:

- Q. Your name is Howard Graham?
A. Yes.
- Q. Mr. Graham, where do you live?
A. 710 Lawhead Avenue, Clearfield, Pa.
- Q. That is right across the street from Mr. Cochran?
A. Yes.
- Q. You are acquainted with both Mr. and Mrs. Cochran?
A. Yes.
- Q. Have you ever seen Mr. O'Conner and Mrs. Cochran together?
A. Yes.
- Q. When and where?
A. I am not sure of the date, but it was the night before Bill told her to get out, she was getting in the car in front of Ray Cleaver's Store on West Sixth Avenue.
- Q. What time was that?
A. Close to 7:00 P.M.
- Q. Was Mr. Cochran with you at that time?
A. Yes.
- Q. Prior to that time, did you ever hear anything about her running around?
A. I hear of her running around, but didn't know who with.
-

Q. Was that neighborhood talk?

A. Yes.

Q. You did see her getting in the car with Mr. O'Conner?

A. Yes, I definitely saw her, he hadn't pulled off the road and there was a car in front of him and one behind him and I pulled around him, and when I did, my car lights shone right into the car.

Q. How long have you lived there next to Mr. Cochran?

A. Since 1954.

Q. Have you ever visited in their home?

A. One time, well, once in a while.

Q. Are you acquainted as to whether or not he provided a proper home?

A. It was adequate as far as I know.

Q. Do you know of any reason for her acting as she did?

A. No.

Q. Do you know of any agreement as to the bringing of this divorce action?

A. No.

BY THE MASTER: DONALD R. MIKESELL TO MR. COCHRAN

Q. Has your wife ever made any effort to obtain the custody of the children?

A. She said I could have them to raise them.

Q. She never brought any action for support or custody?

A. No.

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
NO. 13, February Term, 1961
IN DIVORCE

WILLIAM B. COCHRAN

-VS-

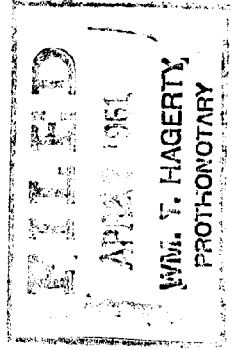
DOROTHY L. COCHRAN

MASTER'S REPORT

Uncontested

Donald R. Mikesell
Master's Fee \$75.00

UREY & MIKESELL
Attorneys at Law
Trust Company Bldg.
Clearfield, Penna.



Now, April 27th 1961, Time & Notice of
Presentment waived.
Wm. T. Chase
Attorney for Def.