

DOCKET NO. 173

NUMBER	TERM	YEAR
50	February	1961

MADELINE E. THOMPSON

VERSUS

DARL WILLIAM THOMPSON

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MADELINE E. THOMPSON

:

No. 50 February Term, 1961

vs.

:

IN DIVORCE

DARL WILLIAM THOMPSON

:

MASTER'S REPORT

.

Appendix A

All Filed Papers

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Appendix B

Testimony

Clearfield County, ss:

The Commonwealth of Pennsylvania, to

DAN P. ARNOLD, 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

MADELINE E. THOMPSON _____ Plaintiff ,

and _____

DARL WILLIAM THOMPSON 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.

Ann. L. Hagerty
Prothonotary

To the Honorable, the Judge, &c.:

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

 COMMISSIONER.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MADELINE E. THOMPSON	:	
	:	No. 50 February Term, 1961
vs.	:	
	:	IN DIVORCE
DARL WILLIAM THOMPSON	:	

MASTER'S REPORT

I

SCHEDULE

1. Complaint in Divorce was filed February 11, 1961.
2. Complaint in Divorce was served on the defendant on February 13, 1961, as evidenced by Affidavit of Service attached hereto.
3. On March 14, 1961, Dan P. Arnold, Esquire was appointed Master.
4. The Master's hearing was fixed for April 25, 1961 at 2:00 o'clock in the office of the master at 101 S. Second Street, Clearfield, Pennsylvania.
5. Notice of Master's hearing was accepted on behalf of plaintiff on April 3, 1961 as is evidenced by acceptance of service hereto attached.
6. Master's Notice of hearing was served on the defendant by publication as is evidenced by Proof of Publication attached hereto.
7. Master's hearing was held at the time and place aforesaid, at which time the plaintiff appeared with her attorney, John B. Gates.
8. No appearance was entered of record for the defendant nor did he appear at the hearing.

II

The causes of divorce as stated in the Complaint were indignities to the person and cruel and barbarous treatment.

III

FINDINGS OF FACT

1. Marriage. The plaintiff and defendant were married on December 24, 1934 by Reverend John Hill a Lutheran minister, at the home of the plaintiff in Olanta, Clearfield County, Pennsylvania.

2 and 3. Residence and Citizenship. Plaintiff has lived in Clearfield County and the Commonwealth of Pennsylvania her entire lifetime. At the time of their marriage, plaintiff and defendant resided in Curwensville for approximately 18 months and subsequently moved to Olanta, Clearfield County, Pennsylvania, where they lived until the time of separation and where plaintiff still resides. Both plaintiff and defendant are citizens of the Commonwealth of Pennsylvania and of the United States of America.

4. Age and Occupation. The plaintiff is 50 years of age and is a housewife by occupation. The defendant is 54 years of age and is a laborer by occupation.

5. Children. There was one child born to this marriage, Kay Marie Traister, who is 21 years of age.

6. Military Service. The defendant is not now a member of any of the Armed Services of the United States.

7. Findings on the Merits.

(a) The defendant's treatment of the plaintiff was humiliating, abusive and embarrassing and clearly showed that he was lacking in any spirit of love or affection for the plaintiff or any regard for the wellbeing of the plaintiff.

(b) Plaintiff gave the defendant no reason for treating her as he did.

8. Discussion. The defendant's conduct for more than the past twenty years of his marriage was a constant case of drunkenness, progressive in nature. The defendant because of his drinking was unable to keep any steady employment, and during most of this period failed to properly support or maintain the house for the plaintiff.

During his periods of drunkenness, which became nearly constant, the defendant continually argued and fought with his wife and kept her awake at nights. During these periods he used abusive and profane language towards his wife, not only in her presence but in the presence of her family and friends, and in fact as this went on made her condition intolerable.

This long continued conduct seriously affected the plaintiff's health, caused her to lose weight and made her extremely nervous.

The final separation occurred when the defendant advised a neighbor that he had purchased a gun and intended to shoot his wife and daughter the first time the daughter returned to their home. As a result of this treatment the plaintiff had the defendant arrested on a charge of surety of the peace, for which the President Judge of the Court of Quarter Sessions of Clearfield County sentenced him to the Clearfield County jail and released him on his promise to get out of Clearfield County.

The divorce complaint was served on the defendant while in the Clearfield County jail, and the first Master's Notice could not be served because the defendant had left the state. Accordingly, service was obtained by the Sheriff by publication.

Plaintiff's testimony was corroborated by a neighbor, Mrs. Frank, both as to the drunken conduct of the defendant and his threat upon her life. There is no evidence that the plaintiff

did not make every effort to be a good and dutiful wife and provide a proper home for the defendant.

We find that the defendant has been guilty of such indignities to the person as to render her condition in life intolerable and life burdensome. Having found the defendant guilty on indignities it is unnecessary to decide whether he has been guilty of cruel and barbarous treatment, and the Master accordingly recommends a divorce on the grounds of indignities to the person.

IV

CONCLUSIONS OF LAW

1. The Court has jurisdiction of the subject matter and of the parties.

2. The proceedings are in accordance with the requirements of law and Rules of Court.

3. The defendant is guilty of indignities to the person of the wife such as to render her condition in life intolerable and her life burdensome.

4. Plaintiff is the injured and innocent spouse.

V

RECOMMENDATION

The Master recommends a decree granting the plaintiff an absolute divorce from the bonds of matrimony from the defendant, Darl William Thompson; a suggested form of decree is herewith respectfully submitted.


Master

In the Court of Common Pleas of Clearfield County, Pennsylvania

XXXXXXXXXXXXXXXXXXXX

MADELINE E. THOMPSON

Of February Term, 1961

No. 50

VERSUS

DARL WILLIAM THOMPSON

DIVORCE

And Now, the 26th day of April 1961, the
report of the Master is acknowledged. We approve his findings and recommendations; except
as to _____

We, therefore, DECREE that MADELINE E. THOMPSON be
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-
tracted between ~~himself~~ ^{herself} and DARL WILLIAM THOMPSON.
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 not-
ed 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 MADELINE E.

THOMPSON

~~his~~
her costs expended in this action.

ATTEST

Wm. J. Hagerty
Prothonotary

BY THE COURT

John J. [Signature]
President Judge

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

No. 50 February Term 1961

MADELINE E. THOMPSON
Libellant

VERSUS

DARL WILLIAM THOMPSON
Respondent

DECREE

John B. Gates
Attorney

Appendix A
All Filed Papers

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MADELINE E. THOMPSON

VS.

DARL WILLIAM THOMPSON

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NO. 50 February Term, 1961

IN DIVORCE

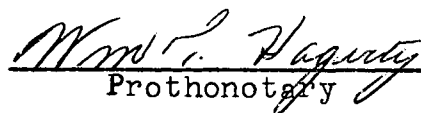
D O C K E T E N T R I E S

FEBRUARY, 11, 1961, COMPLAINT IN DIVORCE filed. One copy certified to the Sheriff.

February 14, 1961, Sheriff's Return, filed: NOW, February 13, 1961, at 2:30 o'clock P.M. served the within Complaint In Divorce on Darl W. Thompson at 300 North 2nd Street, Clearfield, Pa., by handing to him personally a true and attested copy of the original Complaint In Divorce and made known to him the contents thereof. So answers, Charles G. Ammerman, Sheriff.

NOW, March 14, 1961, By motion on the Watch-book, Dan P. Arnold, 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, PENNSYLVANIA

MADELINE E. THOMPSON

vs

DARL WILLIAM THOMPSON

:

:

:

:

:

No. 50 February Term, 1961

IN DIVORCE

COMPLAINT IN DIVORCE

NOW COMES the Plaintiff by her attorney, JOHN B. GATES,
and brings this Complaint in Divorce against the above named
Darl William Thompson, upon the following cause of action:

1. The name of the Plaintiff is MADELINE E.
THOMPSON.
2. The name of the Defendant is DARL WILLIAM
THOMPSON.
3. The Plaintiff is a resident of Pike Township,
R.D., Olanta, Clearfield County, Pennsylvania.
4. The Defendant is a citizen of the United States
of America and his last known address was Pike Township, R.D.
Olanta, Clearfield County, Pennsylvania.
5. The Plaintiff has resided in the Commonwealth
of Pennsylvania and has been a bona fide resident of Clearfield
County, Pennsylvania for over forty years.
6. The Plaintiff and Defendant were married on
December 24, 1934 at Olanta, R.D., Pike Township, Clearfield
County, Pennsylvania by Reverend John Hill, a Lutheran minister.
7. The Defendant has:
 - a. Offered such indignities to the person

of the Plaintiff, who is the injured and innocent spouse as to render her condition intolerable and her life burdensome.

b. By cruel and barbarous treatment, endangering the life of the Plaintiff, who is the injured and innocent spouse.

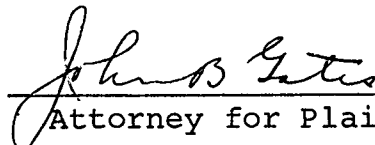
8. That the following named child has been born to this union and whose residence is as follows:

a. Mrs. Kay Marie Traister, age 21 years, Harrisburg, Pennsylvania.

9. That the Plaintiff and Defendant have entered into no collusive arrangement regarding this action.

10. That neither of the parties, Plaintiff and Defendant has ever applied in this or any other court for a Divorce from the other party to this action, or for an annulment of marriage.

WHEREFORE, the Plaintiff respectfully prays your Honorable Court that she be granted an absolute divorce, separating herself from the said Darl William Thompson, the Defendant, as if she had never been married, or as if the said Defendant were naturally dead.


Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA :
: SS:
COUNTY OF CLEARFIELD :

MADELINE E. THOMPSON, being duly sworn according
to law, deposes and says that the facts set forth in the
foregoing Complaint are true and correct to the best of her
knowledge, information and belief.

Madeline E. Thompson
Madeline E. Thompson

Sworn to and subscribed
before me this 9
day of February, 1961.

Wm. T. Hagerty

PROTHONOTARY
My Commission Expires
1st Monday Jan, 1962

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 50 February Term, 1961
IN DIVORCE

MADELINE E. THOMPSON

VS

DARL WILLIAM THOMPSON

COMPLAINT IN DIVORCE

TO WITHIN NAMED DEFENDANT:

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

JOHN B. GATES
Attorney for Plaintiff

By *John B. Gates*

FILED

FEB 11 1961

WM. T. HAGERTY
JOHN B. GATES
PROTHONOTARY
CLEARFIELD, PA.

25⁰⁰ Pd by *Ally*

COMMERCIAL PRINTING CO., CLEARFIELD, PA

Lap over margin

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

Madeline B. Thompson

Vs

Darl William Thompson

No 50 Feb Term 1961

Notice

Masters In Divorce

(Sheriff's Return)

Now, March 31, 1961, By Information Received The defendant Darl William Thompson Has left the State Of Pennsylvania.

Costs Sheriff Ammerman \$5.00

(Paid by Pro)

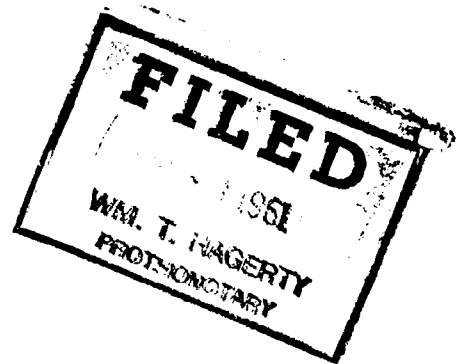
So Answers,

Charles G. Ammerman
Charles G. Ammerman
Sheriff,

Sworn to before me this 31st
day of March A.D. 1961.

Wm. T. Nagerty
Prothonotary.

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MADELINE E. THOMPSON

:

vs.

:

No. 50 February Term, 1961

IN DIVORCE

DARL WILLIAM THOMPSON

:

NOTICE

To: Madeline E. Thompson
R. D.
Olanta, Pennsylvania

Darl William Thompson
300 North Second Street
Clearfield, Pennsylvania

This is to notify you that the undersigned has been appointed Master in the above captioned divorce action and for the purpose of his appointment will hold a hearing on Friday, April 7, 1961 at 2:00 o'clock P. M., at which time you may attend together with your witnesses if you so desire.



Dan P. Arnold, Master

Affidavit of Service

Madeline S. Thompson

vs.

Darl William Thompson

No. 50 February Term, 1961

Complaint In Divorce

Returnable within _____ days
from date of service hereof.

NOW February 13, 1961 at 2:30 o'clock P.M.

served the within Complaint In Divorce

on Darl W. Thompson

at 300 North 2nd Street, Clearfield, Pa.

by handing to him personally

a true and attested copy of the original Complaint In Divorce

known to him the contents thereof.

Costs. Sheriff Ammerman \$7.00
(Paid by Pro)

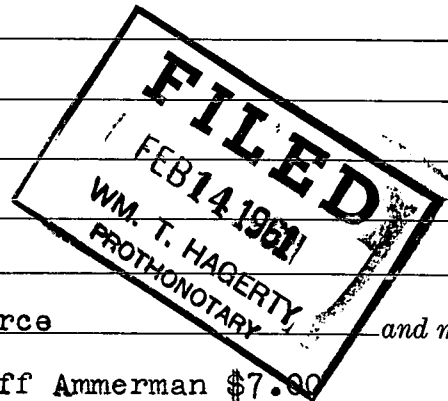
Sworn to before me this 14th
day of February A. D. 1961

Wm. T. Hagerty
Prothonotary

So answers,

Charles G. Ammerman
CHARLES G. AMMERMAN

Sheriff



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MADELINE E. THOMPSON

vs.

DARL WILLIAM THOMPSON

:

:

:

No. 50 February Term, 1961


IN DIVORCE

NOTICE

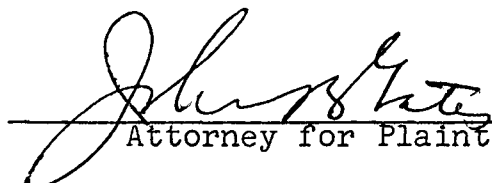
To: Madeline E. Thompson
R. D.
Olanta, Pennsylvania

Darl William Thompson

This is to notify you that the undersigned has been appointed Master in the above captioned divorce action and for the purpose of his appointment will hold a hearing on Tuesday, April 25, 1961 at 2:00 o'clock P. M., at which time you may attend together with your witnesses if you so desire.


Dan P. Arnold, Master

NOW, this 3 day of April, 1961, I hereby accept service of the above notice on behalf of plaintiff, Madeline E. Thompson.


Attorney for Plaintiff

Appendix B
Testimony

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MADELINE E. THOMPSON	:	
	:	No. 50 February Term, 1961
vs	:	
	:	IN DIVORCE
DARL WILLIAM THOMPSON	:	

At a Master's hearing held in the office of Dan P. Arnold on Tuesday, April 25, 1961 at 2:00 o'clock P. M. there appeared the following: the plaintiff, Madeline E. Thompson, represented by her attorney, John B. Gates, and Mrs. Emma Frank as a witness.

MADELINE E. THOMPSON, being duly sworn according to law testified as follows:

By Mr. Gates:

Q. Your name is Madeline E. Thompson?

A. Yes.

Q. Mrs. Thompson, you are the plaintiff in this divorce proceeding, is that correct?

A. Yes.

Q. What is the name of your husband?

A. Darl Thompson.

Q. The divorce complaint says Darl William Thompson, is that right?

A. Darl William Thompson, that's right.

Q. Where do you live?

A. In Olanta, Pike Township.

Q. Is that in Clearfield County?

A. Yes.

Q. When were you married?

A. December 24, 1934.

Q. By whom were you married?

A. Rev. John Hill a Lutheran minister.

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

Madeline E Thompson

No 50 Feb Term 1961

vs

Darl William Thompson

Masters Notice In Divorce
Notice By Publication

(Sheriff,s Return)

Now, April, 16, 1961, served the within Complaint In Divorce Upon Darl William Thompson by advertizing the printed notice hereto attached in the Clearfield Progress, a news paper of General circulation published in the city of Clearfield, Clearfield County Pennsylvania. on the dates mentioned in the affidavite of the publi sher. hereto attached and made part of this return of service.

Costs Sheriff Ammerman \$6.00
Clfd Progress \$8.40
(Paid by Atty Arnold)

So,Answers,

Charles G. Ammeramn
Sheriff

Sworn to before me this 22nd
day of April 1961, A.D.

Wm T. Hagerty
Prothonotary.

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THE NO 15725 PROGRESS

CLEARFIELD, PA. April 6, 1956

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

To Accounts Rendered

Inches @

Lines @

210 Words @ .04

Miscellaneous

\$ 8 40

No. 50 February Term, 1961
In Divorce

Madeline E. Thompson
vs
Darl William Thompson

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :

COUNTY OF CLEARFIELD : SS:

On this 13th day of April, A. D. 1961, before me, the subscriber, a Notary Public in and for said County and State, personally appeared William C. Plummer, who being duly sworn according to law, deposes and says that he is the Advertising Manager of the Clearfield Progress, and designated agent of the Publisher of the Clearfield Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in the regular issues of

April 6 and 13, 1961. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.

William C. Plummer
Advertising Manager

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

William C. Plummer
Notary Public
My Commission Expires November 1, 1962
Clearfield, Penna.

Clearfield Progress

(Please publish once a week for two (2)
successive weeks, beginning April 6,
1961)

Commonwealth of Pennsylvania,
County of Clearfield,

To: Darl William Thompson:

You are hereby notified that Dan P. Arnold, Esq., has been appointed Master in the divorce action of Madeline E. Thompson vs. Darl William Thompson, in the Court of Common Pleas of Clearfield County, Pa. at No. 50 February Term, 1961; and that he will hold a meeting for the purpose of taking testimony in said case, at the office of Dan P. Arnold, Attorney at Law, Clearfield, Pa. at 2:00 o'clock P.M., on Tuesday, April 25, 1961, when and where you may attend with witnesses, if you so desire.

CHARLES G. AMMERMAN
Sheriff

IN THE
Court of Common Pleas
OF
Clearfield County, Pennsylvania

No. 50____, February Term, 1946

MADELINE E. THOMPSON

versus

DARL WILLIAM THOMPSON

DAN P. ARNOLD
~~ARNOLD & CHAPLIN~~
ATTORNEYS AT LAW
CLEARFIELD, PA.

In the Court of Common Pleas of Clearfield County, Pennsylvania,

MADELINE E. THOMPSON

versus

DARL WILLIAM THOMPSON

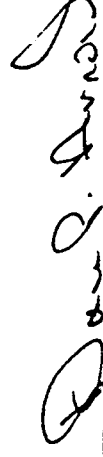
No. 50, February Term, 1946

IN DIVORCE

To Prothonotary of said Court, Sir:

Direct the Sheriff to serve the Master's
Notice of hearing in the above divorce
case by publication once a week for two
(2) successive weeks.

Date March 31, 1946



~~Paul P. Davis~~ Master

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MADELINE E. THOMPSON

:

vs.

:

No. 50 February Term, 1961

IN DIVORCE

DARL WILLIAM THOMPSON

:

NOTICE

To: Madeline E. Thompson
R. D.
Olanta, Pennsylvania

Darl William Thompson

This is to notify you that the undersigned has been appointed Master in the above captioned divorce action and for the purpose of his appointment will hold a hearing on Tuesday, April 25, 1961 at 2:00 o'clock P. M., at which time you may attend together with your witnesses if you so desire.


Dan P. Arnold, Master

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MADELINE E. THOMPSON

:

No. 50 February Term, 1961

vs.

:

IN DIVORCE

DARL WILLIAM THOMPSON

:

NOTICE


To: Madeline E. Thompson

R. D.

Olanta, Pennsylvania

Darl William Thompson

This is to notify you that the undersigned has been appointed Master in the above captioned divorce action and for the purpose of his appointment will hold a hearing on Tuesday, April 25, 1961 at 2:00 o'clock P. M., at which time you may attend together with your witnesses if you so desire.


Dan P. Arnold, Master

Q. Where were you married?

A. At my home at Olanta.

Q. IS that the same home in which you live at the present time?

A. Yes.

Q. What is your occupation?

A. Housewife and I do some sewing.

Q. What is the occupation of your husband?

A. A laborer.

Q. Were there any children born to this marriage?

A. Yes, one daughter and she's 21.

Q. What is her name?

A. Kay Marie Traister.

Q. Where does she live?

A. She's married and lives in Harrisburg.

Q. What is your age?

A. I am 50.

Q. How old is Darl?

A. He's 54.

Q. How long have you lived in Pennsylvania?

A. All my life.

Q. How long have you resided in Clearfield County?

A. All my life.

Q. After you married in 1934 where did you and your husband set up housekeeping?

A. In Curwensville on Susquehanna Avenue, South Side. We lived there for 18 months and then went back to Olanta.

Q. Did you go to the house you are living in now?

A. Yes.

Q. Have you continued to live there ever since?

A. Yes.

Q. After your marriage did you have any difficulties, or how did your marital life develop?

A. It went nicely for approximately five years and then Darl started to drink and lost one job after another and as time went on it got worse.

Q. Were these activities or his conduct affected by his drinking?

A. Yes.

Q. During the time that he was drinking was that when he did various things?

A. Yes.

Q. How long has he been in this drinking mood?

A. About 18 to 20 years, since he started to drink and as time went on it got worse and really got bad the last couple of years.

Q. During the times that he would become intoxicated, what would he do?

A. He'd just come home and carry on, and curse and swear and called me things like son-of-a-bitch, and he would go to bed but he wouldn't stay in bed; he would go down and drink more - he always brought a bottle home with him, and rave and carry on and talk to himself and slam doors.

Q. How long did this happen?

A. Oh about the last two years it really got bad.

Q. You say he called you names?

A. Yes.

Q. What did he call you?

A. Son-of-a-bitch and bastard.

Q. Was there anybody present when he called you these names?

A. Yes, my daughter.

Q. Was she living at home at that time?

A. Yes, she was.

Q. Did she witness these spectacles of his?

A. Yes.

Q. Did your husband ever take you out evenings?

A. No, I haven't been out with him for six or seven years. One night we went to the Vets in Curwensville and he went to the bar and drank, and when he came back he called me a son-of-a-bitch and no-good old bastard, and I got up and came home. That's the last I was out with him. He didn't care to go any place except where they drank and I didn't like that.

Q. In the last two years, I believe you state that this became increasingly worse?

A. Yes, it really got worse. He got so mean when he was drunk I was afraid of him.

Q. Did he do anything else besides drink and call you names?

A. Yes, he called me names and when he came home he drank and was always going to get on the telephone and call my people and tell them things about me, how awful I was and I never know when he was on these drunks when the telephone was going to ring and what I was going to hear when I answered it because he was always in some kind of mix-up.

Q. When he would get on these drunks or toots how long would he be away from home?

A. Maybe a week at a time. He went and stayed.

Q. Did he contribute anything to your support during the last several years?

A. Just times when he would work. There were two years when he didn't work at all?

Q. Would he give you any of his unemployment money or pay?

A. No. He couldn't even wait until the mailman brought it to the house, he had to go to the post office to get it and then you wouldn't see him until it was gone, then he'd come home.

Q. Did your husband ever make any statements concerning you in front of your family?

A. When my sisters came home last summer and he was drinking and talking to them about me and calling me a son-of-a-bitch and that I was no good, and they said to him what kind of a wife do you expect the way you have been drinking.

Q. He did call you these names in the presence of others?

A. Yes.

Q. Who were those people?

A. My sisters, Mrs. Lena Stanger and Mrs. Alice Eshelman.

Q. Where do they live?

A. Pittsburgh.

Q. Was it necessary for them to come to your rescue on occasion during these times?

A. This last time in January when they came up I called them and they came home.

Q. What happened in January of this year?

A. He had been drinking for two weeks and he came home on Friday night and told me he had bought something, and I asked him what he had bought and he said to never mind but one of these days Kay Marie will be coming home in a big hurry.

Q. When he said Kay Marie did he mean your daughter?

A. Yes.

Q. Did he tell you what he had bought?

A. No.

Q. Did you subsequently find out?

A. Yes. Later in the evening Mrs. Frank called me and asked me to come over and I went over and she told me that she had

brought Darl home that evening and he told me that he had bought a gun, and she said did you know it and I said no, and she said she had called Sheriff Ammerman and talked to him and he said that she had better tell Mrs. Thompson that Darl has gotten this gun, so then she called me over and I asked what I should do and she said the Sheriff said that maybe you had better have him picked up, so Saturday I did.

Q. Did you have him arrested on Saturday?

A. Yes. I went to Mr. Bloom.

Q. On what charge was that?

A. Surety of the peace.

By Mr. Gates:

For the purpose of the record we offer the papers which were filed in the Quarter Sessions Docket.

Q. Mrs. Thompson, was your husband sentenced to jail as a result of that?

A. Yes.

Q. Was he sentenced in the latter part of February by Judge Pentz?

A. Yes.

Q. Did your husband testify at the hearing that he had made arrangements to purchase the gun, to your knowledge?

A. You mean at the hearing with Mr. Bloom?

Q. Yes.

A. Yes he said he had bought this gun and Sheriff Ammerman had said that he had bought this gun too.

Q. Did you go back home that evening Mrs. Frank had told you he purchased the gun?

A. Yes I went back home and I said I was going to bed and I said to him aren't you, and he said, no, and I said why and he said he was going to sleep down here. I went to bed and didn't

take my clothes off and didn't close my eyes that night. At 4:00 he got up and fixed the furnace and I sure got out of bed in a hurry because I didn't know what he was going to do, and next morning I went to Mr. Bloom.

Q. What did he do to the house, Mrs. Thompson, during the last month that you lived together, some of the incidents and the condition he left the house in?

A. Those last two weeks when he was on a drunk, I was out to the neighbors because I was afraid, he poured water on the stove and got mashed potatoes out of the refrigerator and broke the dish and had mashed potatoes tramped all over the house.

Q. Did you try to be a good wife to your husband?

A. Yes, I did.

Q. Is there any collusion between you and your husband for the purpose of getting this divorce?

A. No.

Q. Did you own any property together?

A. No.

Q. Who owns the home that you live in?

A. It belongs to my brothers and my sisters.

Q. The furniture that's in the house, was that left from your parents?

A. Some of it and, of course, Darl and I had bought some of it.

By Mr. Arnold:

Q. When did you and your husband separate permanently?

A. When he was picked up and that was February 4, 1961.

Q. The two of you haven't lived together since the 4th of February?

A. No.

Q. Mrs. Thompson, this hearing was originally set for April 7th and when I delivered a copy of the notice to the Sheriff

the Sheriff's office was unable to find him in Pennsylvania. Do you know where your husband is living at the present time?

A. No, I don't.

Q. Do you know whether or not he has left Pennsylvania?

A. No, I don't.

Q. Have you heard, Mrs. Thompson, since you started this divorce that your husband left Pennsylvania?

A. Yes, I did hear that he left.

Q. As of the last time that you saw your husband was he in the armed services of the United States?

A. No.

Q. Have you heard from your husband at all since you appeared before Judge Pentz?

A. No.

Q. Have you had any letters from him?

A. No.

Q. Any phone calls?

A. No.

By Mr. Gates:

Q. Mrs. Thompson, how did this affect your health?

A. It made me very nervous and I have lost 20 pounds since the middle of January.

Q. Is that principally due to this treatment?

A. Yes.

MRS. EMMA FRANK, being duly sworn according to law, testified as follows:

By Mr. Gates:

Q. Your name is Mrs. Emma Frank?

A. Yes.

Q. Where do you live?

A. In Olanta, Pike Township.

Q. Do you know the Thompsons?

A. Yes, I do.

Q. Are you a neighbor of their's?

A. Yes, I live the second house from them.

Q. Do you know Darl?

A. Yes.

Q. You have heard Mrs. Thompson's testimony here as to the incident that occurred in January of this year, that you called her?

A. Yes.

Q. Had you seen Darl Thompson earlier on that date?

A. Yes, I saw him here in Clearfield.

Q. What happened?

A. I was in town on a very bad Friday afternoon and I was on my way home. It was snowing with about 3 or 4 inches of snow on the ground and we have a bad hill to go up, Bloomington Hill, and Darl has always been pretty good and I asked if he would ride home with me, but he said he had a stop to make, and I knew what it was, but he proceeded to tell me he was going to get a bottle of whiskey and I said I would stop if he wouldn't drink in the car and if he wouldn't aske me to drink. He said he wouldn't. We went to Curwensville and I had to take a package into Liningers and I sent Darl on this errand and he went to the liquor store and came back and got in the car and rode home.

Q. Did he make any statements to you on the way home?

A. As soon as he got into the car he said he was down here buying a gun, and I said to him why did you do that and he said because he wanted to put an end to everything and he said he was going home and shoot the old woman and if Kay Marie stuck her head in the door he'd shoot her too, and anyone else that would come in to interfere.

Q. Was he in earnest?

A. Yes. The whole way home I pleaded with him not to get the gun, and he said he had paid for it and couldn't get it for 48 hours, but he said he'd get it. The next morning he called to see if I was coming down town and I said the roads were too bad and couldn't come down.

Q. Mrs. Frank did you call Mrs. Thompson that evening after you had gotten home?

A. Yes. Not until after I talked to Sheriff Ammerman because I was afraid of what was going to happen in the community and called him to ask what could be done, and he asked if Mrs. Thompson knew it and I said no and he said I had better tell her, so I called her on the telephone and told her to come over because we have a party line.

Q. How many years did you live next to the Thompsons?

A. Twenty-three.

Q. Did Darl Thompson ever make any statements to you concerning his wife?

A. Yes. He referred to his wife as an old bitch and said she was no good and never was and didn't know why he ever married her. At the time of their 25th Anniversary I said to Darl didn't you buy your wife a gift, and he said the no good bitch didn't deserve a gift, and I said Darl after all these years after the way she has cooked, cleaned and kept house for you and to talk like that.

Q. Mrs. Frank, have you been in their home, what kind of a housekeeper was Mrs. Thompson?

A. Very clean, very good and always had lots of food on hand. She was always ready to give you a cup of coffee and a piece of cake.

Q. Was she a good wife in your estimation?

A. Yes, I would say. You couldn't be any better.

Q. Have you talked to Darl recently either in person or on the telephone?

A. On Monday night after his hearing he called me and said he wanted to say goodbye that he had bought a ticket to Chicago and he was leaving that night. He said he had a woman with him who was older than he was but she had bought the tickets and was going to look out for him, and he said he wanted to tell me goodbye. The next morning we went to town and there was Darl. I didn't know if he had missed his bus or had come back and I asked at the bus station whether he had bought a ticket to Chicago, and they said he had but he had been drunk and missed his bus and they told him to come back the next day. He had called me Sunday morning and asked me to bring him clothes and said he was going. On Monday he called me.

Q. The monday evening you talk of was that March 6?

A. Yes.

Q. And next day was Tuesday, March 7 when he had missed the bus but he had purchased a ticked according to the information you received?

A. Yes. He had told me he was going to Arizona and to California and another time to his brother Dick's, which would be Illinois.

Q. Had he told you those in his telephone calls?

A. Yes. When he was drinking he just repeated and repeated and every time his story would be different.

By Mr. Arnold:

Q. Do you know, Mrs. Frank, where Darl lived after he was arrested and before he left Pennsylvania?

A. Well, he was in jail for 28 days and then had a room at a Hotel. He told me the morning that he called me to bring him his suit that he was living at the Park Hotel but I was to

bring the suit to the drug store because I could find him there better than at the hotel. When I talked to him about the gun I told him that shooting his wife and daughter wouldn't get him any place because he would lose his life too. He said they would never catch him and he said he would just shoot himself.

By Mr. Gates:

Q. Mrs. Frank did this activity of Mr. Thompson affect his wife's health?

A. It surely did.

End of Testimony

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA. No. 50 February Term, 1961 IN DIVORCE	
MADELINE E. THOMPSON vs. DARL WILLIAM THOMPSON	
MASTER'S REPORT UNCONTESTED	
Master's Fee	\$85.00
<div>FILED APR 28 1961 Wm. F. Haggerty Prothonotary</div> <div>LAW OFFICES CHAPLIN & ARNOLD CLEARFIELD, PA.</div>	

Now April 26, 1961 Copy of notice of master's report received
and time waived

John S. Gates
att'y for plaintiff