

DOCKET NO. 173

NUMBER TERM YEAR

68 February 1961

George W. Abers

VERSUS

Freda Abers

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

GEORGE W. ABERS :
versus : No. 68 February Term, 1961
FREDA ABERS :

BILL OF PARTICULARS

George W. Abers files this Bill of Particulars in response to Rule issued upon him, dated February 20, 1961, in the above-entitled action:

1. That during the time that the Plaintiff and Defendant resided together, beginning approximately one (1) month after their marriage, the Defendant made physical attacks upon the Plaintiff as follows:
 - a. One (1) month after their marriage, she tried to kick the Plaintiff in the leg;
 - b. At various times thereafter the Defendant struck or attempted to strike the Plaintiff with her hand, fist, books or anything else she could get her hands upon;
 - c. In the fall of 1958, the Defendant attempted to strike the Plaintiff on the head with a steam iron;
 - d. The Defendant continually made threats to kill the Plaintiff, often threatening to do so, while he was asleep.
2. That the Defendant told the Plaintiff she was sorry she had married him, and she continually asked him why he didn't get hurt or killed on the highway.
3. That the Defendant was always dissatisfied with where they lived. Three or four months after the Plaintiff and Defendant were married, they moved into a house, which they rented, and because of the complaints of the Defendant, they had to move and moved at least once a year.
4. That about 1952, they bought a house in Minnesota, in which the Defendant became dissatisfied.

5. When the Plaintiff and Defendant moved to Du Bois, they rented a house where they continued to live until their separation.

6. That the Defendant told the Plaintiff that she wanted to leave Minnesota and return to Pennsylvania.

7. That after the parties returned to Pennsylvania, the Defendant told the Plaintiff, that she had a boy friend in Minnesota.

8. That the Defendant always criticized any attempt on the part of the Plaintiff to correct the children.

9. That the Defendant criticized the Plaintiff on his attempt to buy anything for the home or an automobile.

10. That the Defendant was continually wanting things that they could not afford.

11. That the Plaintiff went in to the lumber business in Minnesota, but by reason of the wife to cooperate, the business failed.

12. That the Plaintiff and Defendant argued about money and the cost of living, and the Defendant continually told the Plaintiff that she was sorry she married him, and there was another man, who had lots of money, that she should have married.

13. That the Defendant repeatedly told the Plaintiff, that she didn't see why he didn't get a divorce.

14. That the Defendant refused to get up in the morning and prepare breakfast, and told the Plaintiff that, even if he said she had to, she wouldn't do it.

15. The Defendant frequently told the Plaintiff, that she was going to ruin him after they separated.

16. That following their separation in September of 1958, the Defendant told their friends and acquaintances that the Plaintiff left her for another woman, which was untrue, as during their married life, Plaintiff never had any interest in any other woman.

17. After moving to Pennsylvania, the Plaintiff worked at Montgomery Wards in Du Bois, and the Defendant got most of his pay checks. She told, particularly the employees in Troutmans store in Du Bois and in Montgomery Wards and the police, that the Plaintiff would not give her any money, and she also made the statement that the Plaintiff committed assault and battery on her, which was completely false.

18. That the Defendant contacted the Plaintiff's employers and made statements to them that resulted in the Plaintiff being told he would be fired, if she didn't stop calling.

19. That the automobile he used in Du Bois was in the Defendant's name. At the desertion and non-support hearing, the Defendant was told, by the Court to return the car to the Plaintiff. This the Defendant refused to do, and disposed of the car and kept the money.

20. For the past 8 years of the Plaintiff's and Defendant's marriage, the Defendant continually told the Plaintiff that she was sorry that she married him, and wished that he was dead, and that she would kill him, all of which made him nervous, unhappy and caused him to stay up at night on various occasions, being afraid to go to sleep, which affected his health, rendering his condition intolerable.

21. That the Defendant has continually showed her disdain for her husband and lack of affection for him.

22. That for the past few years of their marriage, the Defendant frequently refused to speak to the Plaintiff.

23. That since their separation, the Defendant has made various false statements against the Plaintiff, that he is dishonest, a drunkard, chases after women, and had no affection for her or the children, and states that he failed to give her any money.

George W. Akers
(Plaintiff)
Bell, Silverblatt & Durst
3 3/20, 2000
Attn: Mr. J. Silverblatt
Attn: Mr. Plaintiff

STATE OF PENNSYLVANIA : SS:
COUNTY OF CLEARFIELD :

George W. Abers, being duly sworn according to law, deposes and says that the facts set forth in the within Bill of Particulars, are true and correct to the best of his knowledge, information and belief.

George W. Abers

Sworn and subscribed to before me
this 23 day of Feb, 1961.

Wm. R. Hagerty

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962 /

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

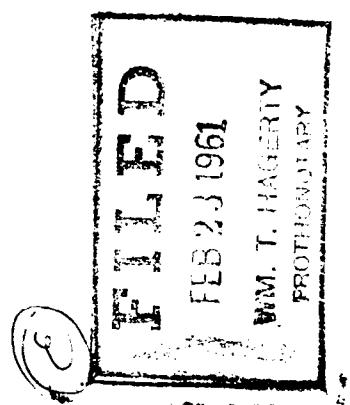
No. 68 February Term, 1961

GEORGE W. ABERS

versus

FREDA ABERS

BILL OF PARTICULARS



BELL, SILBERBLATT & SWOOPPE
ATTORNEYS AT LAW
CLEARFIELD TRUST CO. BLDG.
CLEARFIELD, PENNA.

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

Service Accepted
Feb 27, 1961
Hleason, Cherry & Cherry
by Edward V. Cherry

George W. Abers

versus
Freda Abers

In the Court of Common Pleas

of Clearfield County, Pa.

No. 68 February Term, 19 61

Pl. Fa., No. 19

And now, February 20

A. D. 19 61, ~~per son xx and xx~~

~~XXXXXX~~ and a rule is granted on George W. Abers to file a bill of particulars
within 20 days afterservice of the rule, or non pros. sec. leg.

Returnable Twenty (20) days

By the Court,

HON. JOHN J. PENTZ, P. J.

Certified from the record this 20th

day of February, 19 61

John J. Pentz
Prothonotary

M. L. Silberblatt

No. 68 February Term, 1961

George W. Abers

vs

Freda Abers

Rule 10

George W. Abers

Attorney for Claimant

Bell, Silberblatt & Swoope
Attorney for Plaintiff

Gleason, Cherry & Cherry
Attorney for Defendant

And now, Feb. 23, 1961, issuance of Rule
waived and service is hereby accepted

Bell, Silberblatt & Swoope
M. L. Silberblatt
Atts for Plaintiff

GEORGE W. ABERS
Plaintiff
vs.
FREDA ABERS
Defendant

In the Court of Common Pleas,
of Clearfield County, Pennsylvania,
No. 68 Feb Term 1961.

Complaint in Divorce

- 1 (a) The name of the plaintiff is George W. Abers.
- (b) The name of the defendant is Freda Abers.
- 2 The plaintiff resides at 211 Nichols Street, Clearfield, Pennsylvania.
- 3 (a) The defendant is a citizen of the United States of America, and ~~now resides in~~ resides at 131 East Long Avenue, DuBois, Pennsylvania. ~~now resides in~~
(b) ~~The plaintiff does not know the exact whereabouts and the present address of said defendant.~~
- 4 The plaintiff has resided in the Commonwealth of Pennsylvania for $3\frac{1}{2}$ years, and has been a bona fide resident of Clearfield County, Pennsylvania for ~~at least 30 days except~~ $3\frac{1}{2}$ years last past.
- 5 The plaintiff and defendant were married on December 24, 1945 at Bemidji, Minnesota.
- 6 The defendant has:
 - (a) ~~By force and threats of violence, and by conduct calculated to injure and harass the plaintiff who is the injured and innocent spouse.~~
 - (b) Offered such indignities to the person of the plaintiff who is the injured and innocent spouse, as to render his condition intolerable and his life burdensome.
 - (c) ~~Committed adultery and has been absent from the habitation of the plaintiff who is the injured and innocent spouse, with reasonable cause for abandoning the same and for a period of two years.~~
 - (d) ~~Committed adultery.~~
- 7 That the plaintiff and defendant have entered into no collusive arrangement regarding this action.
- 8 That neither of the parties, plaintiff or defendant, has ever applied in this or any other court for a divorce from the other party to the action, or for annulment of marriage. (If so, state when and in what court and place, and to what number and term the action was brought, and the result of such action.)
- 9 That there were two children born to this marriage; namely, William Earl Abers, age thirteen (13) years, and Ronald Lee Abers, age seven (7) years, both of whom are living with their mother, the Defendant, Freda Abers, at 131 East Long Avenue, DuBois, Pennsylvania.

WHEREFORE, plaintiff respectfully prays that a decree of this Honorable Court may be made for the divorcing and separating of the said Freda Abers, defendant, from plaintiff's society, fellowship and company for all time to come, and the said plaintiff from the marriage bond aforesaid, as if they had never been married, or as if the said defendant were naturally dead, and that Plaintiff be granted a Decree a vinculo matrimonii.

Commonwealth of Pennsylvania,

County of Clearfield } ss.

BELL, SILBERBLATT & SWOOP

By: M. L. Silberblatt



(Atty for Plaintiff)

Personally appeared before me, a Notary Public, in and for said county, GEORGE W. ABERS, the above named plaintiff, who being duly sworn, according to law, deposes and says that the facts contained in the above complaint are true and correct, to the best of his/her knowledge and belief, and that said complaint is not made out of levity, nor for the mere purpose of being freed and separated from each other, but in sincerity and truth, for the causes mentioned in said complaint.

Sworn and subscribed before me this

14 day of February, A.D. 1961
Tom J. Maguire

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962



In the Court of Common Pleas of

Clearfield County, Pennsylvania

No. 68, 2nd Term, 1961

GEORGE W. ABERS

versus

FREDA ABERS

Complaint in Divorce

To Freda Abers

289 Taylor Street, Defendant

FILED

You are hereby notified to plead within
20 days from service of this Complaint.

WM. T. HAGERTY

PHOTOCOPY

BELL, SILBERBLATT & SNOPE

BY: *M. J. Shulsky*

Plaintiff's Attorney

Address

4-50 Kelly

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GEORGE W. ABERS :
Plaintiff :
-vs- : NO. 68 FEBRUARY TERM, 1961
FREDA ABERS :
Defendant : IN DIVORCE

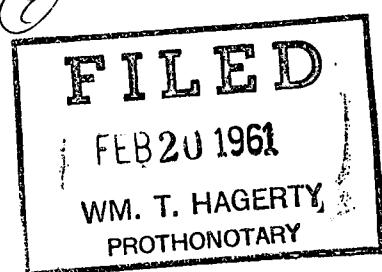
TO WILLIAM T. HAGERTY, PROTHONOTARY:

Sir:

Enter our appearance on behalf of Defendant in the above
entitled case.

GLEASON, CHERRY & CHERRY

By Anthony S. Guido
Attorneys for Defendant



Affidavit of Service

George W. Abers

vs.

Freda Abers

No. 68 February 19 61 Term,

Complaint In Divorce

Returnable within _____ days
from date of service hereof.

NOW February 15, 1961 at 12:10 o'clock P.M.

served the within Complaint In Divorce

on Freda Abers

at 131 East Long Avenue, DuBois, Pennsylvania

by handing to her personally

a true and attested copy of the original Freda Abers and made

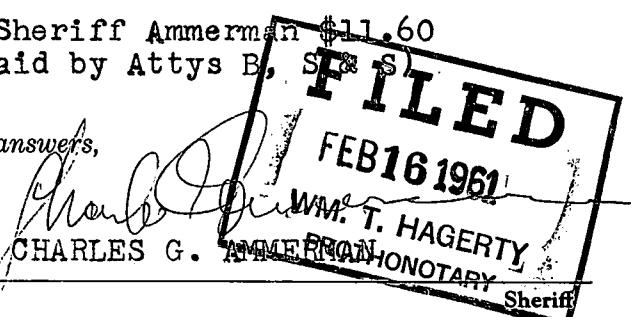
known to her the contents thereof.

Costs. Sheriff Ammerman \$11.60
(Paid by Attys B, S & S)

Sworn to before me this 16th
day of February A. D. 19 61

Wm T. Hagerty
Prothonotary

So answers,



M. L. Silberblatt

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GEORGE W. ABERS :
Plaintiff :
-vs- : NO. 68 FEBRUARY TERM, 1961
FREDA ABERS :
Defendant : IN DIVORCE

TO WILLIAM T. HAGERTY, PROTHONOTARY:

Sir:

Enter a Rule on the Plaintiff to file a bill of particulars
within 20 days after service of the rule, or non pros. sec. leg.

GLEASON, CHERRY & CHERRY

By *Anthony S. Guido*
Attorneys for Defendant

AND NOW, Feb 20, 1961, a Rule is entered on
the Plaintiff as above.

Wm. T. Hagerty
Prothonotary

