

DOCKET NO. 175

NUMBER

TERM

YEAR

71

November

1961

James Leonard Bouch

VERSUS

Donna Loraine Bouch

Clearfield County, ss:

The Commonwealth of Pennsylvania, to

M. L. SILBERBLATT, 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

JAMES LEONARD BOUCH

Plaintiff ,

and

DONNA LORAIN BOUCH

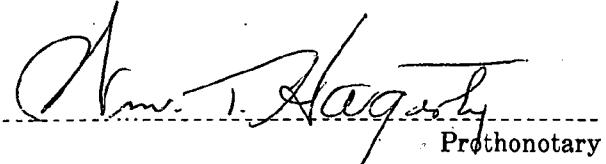
Defendant ,

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 12 th day of December, in the year of our Lord one thousand nine hundred and Sixty-one.


John J. Pentz
Prothonotary

To the Honorable, the Judge, &c.:

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


M. L. Silberblatt
SEAL
COMMISSIONER.

No. 71 November Term. 1961

JAMES LEONARD BOUCH

VERSUS

DONNA LORAIN BOUCH

COMMISSION

Smith, Smith & Work Attorney.

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

JAMES LEONARD BOUCH

-vs-

DONNA LORAIN BOUCH

:
: No. 71 November Term, 1961
: In Divorce

MASTER'S REPORT

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

The undersigned Master appointed by the Court to take testimony and report the same with form of decree in the above entitled case, respectfully reports as follows:

I. DOCKET ENTRIES AND SCHEDULE

November 13, 1961 - Filed Complaint in the Court of Common Pleas of Clearfield County, Pennsylvania, to No. 71 November Term 1961.

November 15, 1961 - The Sheriff served the Defendant at 12:15 o'clock P.M. at the place of residence of the Defendant, at 258 South Brady Street, DuBois, Pennsylvania, by handing to her, personally, a true and attested copy of the original Complaint in Divorce. He got there at 12:15 o'clock P.M., serving the Complaint in Divorce on Donna Loraine Bouch at residence at, 258 South Brady Street by handing to her personally, a true and attested copy of the Complaint in Divorce and made known to her the contents thereof.

December 12, 1961 - By motion on Watchbook, M. L. Silberblatt Esq., is appointed Master to take the testimony and report the same with form of decree.

January 5, 1962 - Hearing held before the Master, M. L. Silberblatt at his office on the fifth floor of the Clearfield Trust Building on North Second Street, Clearfield, Pennsylvania, on Friday, January 5, 1962 at 2:00 o'clock P.M. E.S.T. There appeared at the hearing in the offices of Bell, Silberblatt & Swoope, Clearfield Trust Company Building, James Leonard Bouch, together with his attorney, Joseph Work, Esq. and Darlene Mae Bouch, witness for the Plaintiff. The defendant did not appear, either in person or by counsel.

II. CAUSE OF DIVORCE

Indignities to the person.

III. FINDINGS OF FACT

1. That Donna Loraine Bouch and James L. Bouch were married on June 28, 1960 in the Lutheran Church at Dubois, Pennsylvania.

2. Immediately following their marriage, they lived for about three months at DuBois, Pennsylvania at the residence of the Plaintiff's mother, and then they went to Washington, Pennsylvania where they lived together for about six months, and from there they went to the Plaintiff's mother.

3. Their troubles commenced while they were living at the Plaintiff's mother's place in DuBois, Pennsylvania. The Defendant wanted to go to her mother's place and stay, and the Plaintiff wanted to go to his parent's place and stay there. There were two children born to this marriage, James Leonard Bouch, 1 year old, and Andrew Glenn Bouch, two months old; but the mother, the defendant, did not take care of her house and family. Things were in a very bad condition. The Defendant continually blamed the Plaintiff for running around with other women, and such accusations were untrue. The Plaintiff did not like these accusations. The Defendant did not want to visit with anyone. As a result, the Plaintiff lost twenty-four pounds in six months. All of this made the Plaintiff very nervous. The Plaintiff provided his family with food and clothes. He tried to make the best of their marriage, but this did not work out.

4. The Plaintiff is not working at the present time. His occupation is that of a helper on drilling. He is twenty-two years of age. The Defendant, Donna Loraine Bouch, lives at 258 South Brady Street, DuBois, Pennsylvania; and is twenty-four years of age, and has lived in Pennsylvania practically all of her life.

5. The Defendant has the custody of the two children who are living with the Defendant at her mother's place.

6. The Plaintiff and Defendant did not seem to get along shortly after their marriage. They went from place to place and the Defendant, instead of staying with her husband's people, went to her home and stayed there. She always wanted to live with her mother. The Defendant would not cook very many meals and did not take care of her children. The Defendant always wanted to know what her husband did when he was not staying with his mother. The Plaintiff herein tried to make their married life a happy one, but the Defendant always wanted to know what her husband was doing away from home.

7. The Plaintiff loss twenty-four pounds in six months. He seemed to have trouble with his nerves, and could not sleep a at night. According to the testimony offered, the Defendant had been guilty of grossly mistreating the Plaintiff by her failure to cook meals for her husband, the Plaintiff herein.

IV. ARMED FORCES

Neither the Plaintiff or the Defendant were in the Armed Forces at the time of this contesting.

V. CONCLUSIONS OF LAW

1. That the Court has jurisdiction of the parties to these proceedings.

2. That the Court has jurisdiction of the subject matter and cause of this divorce.

3. That the Defendant is guilty of such indignities to the person of the Plaintiff, as to render his condition intolerable and his life burdensome, and the Master cites the case of Claudine D. Oxley vs. Victor H. Oxley 191 Pa. 474.

VI. RECOMMENDATION

It would appear that a clear case has been set out by the Plaintiff insofar as the testimony, jurisdiction and surrounding circumstances as to same, and the undersigned Master recommends a decree of divorce as prayed for.

All of which is respectfully submitted.

Horis L. Silberblatt

Master

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES LEONARD BOUCH

:

vs.

:

No. 71 November Term, 1961

DONNA LORAIN BOUCH

:

In Divorce

MASTER'S HEARING

Master's Hearing in Divorce held Friday, January 5, 1962, at 2:00 P. M., E. S. T., in the offices of Bell, Silberblatt & Swoope, Clearfield Trust Company Building, Clearfield, Pennsylvania. There appeared at the hearing, James Leonard Bouch, together with his attorney, Joseph P. Work, Esquire, and Darlene Mae Bouch, witness for the Plaintiff. The Defendant did not appear either in person or by counsel.

JAMES LEONARD BOUCH, being duly sworn according to law, testified as follows:

by Joseph P. Work, Esq.:

Q. You will please state your full name for the record.

A. James Leonard Bouch.

Q. What is your present address?

A. 1 Tiona Street, Punxsutawney, Pennsylvania.

Q. With whom do you live with at this address?

A. My mother and my sister.

Q. Are you presently working?

A. No.

Q. What is your occupation when you are working?

A. A helper on drilling.

Q. How old are you?

A. Twenty-two (22).

Q. What is your wife's full name?

A. Donna Loraine Bouch.

Q. Where does she live?

A. 258 S. Brady Street
DuBois, Pennsylvania.

Q. Is that in Clearfield County?

A. Yes.

Q. How old is she?

A. Twenty-four (24).

Q. How long have you lived in the state of Pennsylvania?

A. Practically, all my life.

Q. How long has your wife lived in Pennsylvania?

A. All her life.

Q. When were you married?

A. June 28, 1960.

Q. Where were you married?

A. Lutheran Church, DuBois.

Q. Were you married by a minister of that Church?

A. Yes.

Q. Were any children born to this marriage?

A. Yes.

Q. How old are they, and what are their names?

A. James Leonard Bouch, 1 year old
Andrew Glenn Bouch, two months old.

Q. Who has custody of these children at the present time?

A. She has.

Q. Your wife?

A. Yes.

Q. Are you presently supporting these children?

A. I haven't for the last two months. I haven't had any money.

Q. Had you been supporting them up until that time?

A. Yes.

Q. Now, after you and your wife were married, where did you first live?

A. In DuBois.

Q. How long did you live in DuBois?

A. About 3 months.

Q. Where did you go to from DuBois?

A. She went back to her mother's and I was working in New York state. I came back from there, and we stayed with my mother, and then we went to Washington, Pennsylvania.

Q. How long did you live in Washington, Pennsylvania?

A. About 6 months.

Q. Now, did you get along with your wife right after you were married?

A. Not too well. All she wanted to do was go to her mother's.

Q. When did the cause for which you bring this divorce first arise?

A. When we stayed at my mother's place.

Q. When was this?

A. In 1961, January, 1961, around the 18th. She didn't want to do anything. After Jimmie was born in December 1960, she didn't take care of him. In January, when he was about a month old, she went to her mother's home, and left the baby with my sister for about 4 days, and I went and got her, and brought her back to my mother's place.

Q. Did this leaving you and going to her mother's place take place frequently?

A. Everytime we came home on weekends, she wanted to stay with her mother, and she would not come back to my mother's place.

Q. The whole time you were home, she would be living with her mother?

A. Yes.

Q. When you were living together in Washington, did your wife cook your meals for you?

A. Not very often.

Q. Did she take care of the children?

A. Not very much.

Q. Did she take care of the house? What was its condition?

A. Everytime I wanted her to do anything, I had to tell her. She would say I was pushing her, and she wouldn't do anything.

Q. During the time you lived together as man and wife, were any accusations made against you by your wife?

A. In a way.

Q. Did she question your conduct in anyway?

A. She always wanted to know what I did when she would stay with her mother and then come down to my mother's when we were ready to leave.

Q. Did she blame you for running around with other women?

A. Yes.

Q. On a number of occasions?

A. Quite abit.

Q. After you returned from Washington, Pennsylvania, did you and your wife live together since that time?

A. No.

Q. When was that?

A. September, 1961.

Q. In regard to the accusations your wife made against you, were any of them true?

A. No.

Q. And in your opinion, did you give her any reason to make the accusations?

A. No.

Q. Now, what effect did this conduct of hers have ^{on} you?

A. I was mad, quite a few times. I didn't like the way she acted. I thought we would be together and go and visit people together. She didn't want to do that.

Q. Did it have any physical effect on you?

A. I lost 24 pounds in 6 months when we lived in Washington. I went to the doctor.

Q. What type of treatment did the doctor give you?

A. For my nerves.

Q. Nervous drugs?

A. Yes, more or less to sleep at night.

Q. From the time of your marriage, have you tried to be a good husband?

A. The best I knew how to be.

Q. Did you provide your wife with food and clothes?

A. Yes.

Q. Was there any complaint on your wife's part about the manner in which you provided for her?

A. All the time.

Q. What was her complaints based upon?

A. She thought she should have \$35.00 or \$40.00 in her pocket each week to run around. I drove my car to work 4 days a week, and I told her the car was there the rest of the week, and she could take it. She always had some money, but I couldn't afford \$35 or \$40 each week to give her.

Q. Did you give her money?

A. Each payday.

Q. What did she do with it?

A. When I was down in Washington, I got a letter from her, and she wanted me to send her mother money.

Q. Did you send her mother money?

A. I always gave Donna about \$50 or \$60 to buy the groceries every two weeks. Three or four days after, we had nothing to eat. She never had any money, but never bought anything.

Q. Did you ask her about this?

A. I asked her where she spent the money. She said she bought groceries.

Q. Did she buy clothes for the children?

A. She wouldn't buy anything. We both went together and bought them.

Q. Is your wife presently a member of any armed service of the United States?

A. No.

Q. Is there any agreement existing between you and your wife as to obtaining this divorce?

A. No.

by M. L. Silberblatt, Master:

Q. What is your profession?

A. I work on a drilling rig for gas and oil.

Q. You are a driller?

A. No, just a helper.

Q. What is your wife's occupation?

A. Housewife.

Q. You say you lived in Pennsylvania practically all your life?

A. Yes.

Q. What period didn't you live in Pennsylvania.

A. I stayed in New York state in October of 1960.

Q. You are a citizen of the United States?

A. Yes.

Q. Where were you born?

A. Bell Township, Clearfield County.

Q. How long have you lived in Jefferson County?

A. For the last 10 years.

Q. Your wife has lived in Clearfield County all her life?

A. No, for the last 10 or 12 years. Before that, she lived in Punxsutawney.

Q. I think you testify that you never applied for a divorce before?

A. No, I haven't.

Q. And your wife never against you?

A. No.

DARLENE MAE BOUCH, being duly sworn according to law, testified as follows:

by Joseph P. Work, Esq.:

Q. Are you related to the Plaintiff, James Leonard Bouch?

A. Yes, he is my brother.

Q. Jim has testified here to living in his mother's house, and I guess you also lived there. Is that correct?

A. Yes.

Q. How long have you lived with your mother?

A. Seventeen years.

Q. You're 17 years old?

A. I will be 18.

Q. In regard to Jim's testimony about accusations made by his wife against him, did you ever hear them?

A. When they stayed at our place.

Q. Were these accusations made often?

A. Yes.

Q. In regard to your keeping the child, James Bouch, Jr., how often did this occur?

A. One time, she stayed with her mother for 4 days.

Q. Did she ask you to keep the child?

A. They would just go and Jim would come back in the house and ask me if I would.

Q. To your knowledge, were any of these accusations she made against your brother true?

A. No. Several times, she was up in DuBois, and we stayed at home and watched television. He didn't go anywhere.

Q. He stayed at home?

A. Yes.

Q. Did Jim and his wife live with you and your mother for any period of time?

A. From January to March, 1961.

Q. What were her habits at that time? Did she do any housework?

A. When she felt like it.

Q. Did she feel like it very often?

A. No, not very often. When you stay in bed until noon, most of the work is done.

Q. Who took care of the children at this time?

A. I did most of it.

Q. Who cooked the meals when Jim and his wife were living with you and your mother?

A. I did.

by M. L. Silberblatt, Master:

Q. Ever hear her calling your brother names?

A. She used foul language.

Q. What language did she use?

A. I hate to say.

Q. Did she swear often?

A. If she was mad.

Q. Did she take care of her baby at all?

A. Whenever I couldn't take care of him.

Q. Did your brother give her any cause to act the way she did?

A. No.

Q. He was a dutiful and good husband?

A. Yes.

Q. Do you know of any agreement between your brother and his wife as to obtaining a divorce?

A. No.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES LEONARD BOUCH : No. 71 November Term, 1961
VS. : IN DIVORCE
DONNA LORAIN BOUCH :

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

November 13, 1961, Complaint In Divorce filed: One copy certified to the Sheriff.

November 15, 1961, Sheriff's Return filed: NOW, November 14, 1961, at 12:15 o'clock P.M. served the within Complaint In Divorce on Donna L. Bouch at place of resident, 258 South Brady Street, DuBois, 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. Amerman, Sheriff.

December 12, 1961, by Motion on the Watch-book, M. L. Silberblatt, Esq., is appointed Master to take the testimony and report the same with form. John J. Pentz, President Judge.

Certified from the record this 12th day of December, A. D., 1961.

Wm. J. Haggerty
Prothonotary

In the Court of Common Pleas of Clearfield County, Pennsylvania

James Leonard Bouch _____ } Of November Term, 19 62

No. 71
VERSUS
Donna Loraine Bouch _____ }

DIVORCE

And Now, the 1st day of March 19 62 the
report of the Master is acknowledged. We approve his findings and recommendations; except
as to _____

We, therefore, DECREE that James Leonard Bouch be
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-
tracted between himself and Donna Loraine Bouch

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 _____

James Leonard Bouch his

her costs expended in this action.

ATTEST

Carl E. Walker
Prothonotary

BY THE COURT

John D. Dugay
President Judge

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

No. 71 November Term 1962

James Leonard Bouch
Libellant

VERSUS

Donna Loraine Bouch
Respondent

DECREE

Attorney

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
NO. *114* TERM, 1961
IN DIVORCE

JAMES LEONARD BOUCH

VS.

DONNA LORAIN BOUCH

C O M P L A I N T

TO THE DEFENDANT:

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

SMITH, SMITH & WORK

BY *Wm. T. Haggerty*
ATTORNEYS FOR PLAINTIFF

FILED *80*

NOV 13 1961

WM. T. HAGERTY
PROTHONOTARY
SMITH, SMITH & WORK
ATTORNEYS-AT-LAW

135-00 *By C.P.*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

JAMES LEONARD BOUCH :

VS. : NO. 71 *Nov.* TERM, 1961

DONNA LORAIN BOUCH : IN DIVORCE

C O M P L A I N T

(1). The name of the Plaintiff is James Leonard Bouch, who is presently residing at 1 Tiona St., Punxsutawney, County of Jefferson, State of Pennsylvania.

(2). The name of the Defendant is Donna Loraine Bouch, who resides at 258 South Brady St., in the City of DuBois, Clearfield County, State of Pennsylvania.

(3). The Defendant is 24 years of age and has resided in Pennsylvania all of her life and is a citizen of the United States.

(4). The Plaintiff has resided in the Commonwealth of Pennsylvania all his life and is 22 years of age, and a citizen of the United States.

(5). The Plaintiff and Defendant were married on June 28, 1960 at DuBois, Pennsylvania, by a Minister of the Lutheran Church

(6). The Defendant has:

(a). Offered such indignities to the person of the Plaintiff, who is the injured and innocent spouse, such as to render his condition intolerable and his life burdensome.

(7). There were two children born of this marriage the oldest, James Leonard Bouch, and an infant boy being two weeks old at the time of the filing of this complaint named Andrew Bouch, who are presently in the custody of their mother.

(8). The Defendant is not now a member of the Armed Forces of the United States.

(9). The Plaintiff and the Defendant have entered into no collusive agreement regarding this action.

(10). That neither of the parties, Plaintiff or Defendant, has ever applied in this or any other Court for a

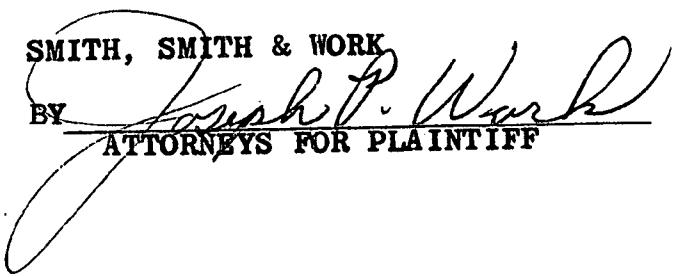
divorce from the other party to the action or for an annulment of the marriage.

WHEREFORE, Plaintiff respectfully prays that a decree of your Honorable Court may be made for the divorcing and separating of the said Donna Loraine Bouch, Defendant, from the 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.

SMITH, SMITH & WORK

BY

ATTOREYS FOR PLAINTIFF



STATE OF PENNSYLVANIA :
SS:
COUNTY OF CLEARFIELD :

Personally appeared before me, a Notary Public, in and for said County, James Leonard Bouch, the named Plaintiff, who being duly sworn according to law deposes and says that the facts set forth in the Complaint are true and correct to the best of his knowledge, information 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.

James Leonard Bouch.
(James Leonard Bouch)

Sworn to and subscribed
before me this 13th day
of November, 1961.

Mrs. Mildred A. Singler

NOTARY PUBLIC
My Commission Expires
JANUARY 7, 1963

Affidavit of Service

James L. Bouch

vs.

Donna L. Bouch

}

No. 71 Nov _____ Term, 19 61

Complaint In Divorce

Returnable within _____ days
from date of service hereof.

NOW November 14, 19 61 at 12:15 o'clock P.M.

served the within Complaint In Divorce

on Donna L. Bouch

at place of Residence, 258 South Brady Street, Du Bois, 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 \$13.10
(Paid By Attys)

So answers, CK 6000

Charles G. Ammerman

Charles G. Ammerman
Sheriff

Sworn to before me this 15th

day of November A. D. 19 61

Tom J. Nagerty
Prothonotary



(W)

Now this 1 March 1962 service of the within
Master's Report accepted and ~~time~~ time waived.

Joseph P. Work
atty for plaintiff

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
NO. 71 NOVEMBER TERM, 1961
IN DIVORCE

JAMES LEONARD BOUCH

vs.

DONNA LORAIN BOUCH

UNCONTESTED

M A S T E R ' S R E P O R T

Uncontested

Master's Fee \$85.00
Alex Campbell, Constable 15 14.00

Due to Mr. L. Campbell 9.00
Master

FILED

MAR - 1 1962

CARL E. WILSON
FILER

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

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

JAMES LEONARD BOUCH

vs.

: No. 71 November Term, 1961

DONNA LORAIN BOUCH

: In Divorce

AFFIDAVIT OF SERVICE

STATE OF PENNSYLVANIA :

SS:

COUNTY OF CLEARFIELD :

Before me, William T. Hagerty, Prothonotary personally appeared, ALEX CAMPBELL, who, being duly sworn according to law, deposes and says that he is a Constable for Sandy Twp. ~~Ward of the~~ City of DuBois, Clearfield County, Pennsylvania, and that he did serve Donna Loraine Bouch, the Defendant in the above entitled divorce action with a true and attested copy of a Notice of the Master's Hearing on December 19, 1961, at 9:30, A.M., at her residence at 258 S. Brady Street, DuBois, Pennsylvania, by personally handing the same to her and leaving ^{it} with her, and making known to her the contents thereof.

*return to
me*
So Answers,

Alex Campbell

Constable Sandy Twp. DuBois Pa.
Cost. \$4.00

Sworn and subscribed to
before me the 19th day
of December, 1961.

William T. Hagerty
PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

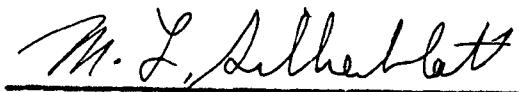
JAMES LEONARD BOUCH

vs.

DONNA LORAIN BOUCH

: No. 71 November Term, 1961
: In DivorceNOTICE OF MASTER'S HEARINGTo: Donna Loraine Bouch
258 S. Brady Street
DuBois, Pennsylvania

You are hereby notified that I have been appointed Master in the Divorce Action of James Leonard Bouch vs. Donna Loraine Bouch, in the Court of Common Pleas of Clearfield County, Pennsylvania, at No. 71 November Term, 1961, and that I will hold a hearing for the purpose of taking testimony in said case at my office on the Fifth Floor of the Clearfield Trust Building, N. Second Street, Clearfield, Pennsylvania, on Friday, January 5, 1962, at 2:00 P. M. E.S.T., when and where you may attend with witnesses if you so desire.


(Master)

And now, the 15th day of December, 1961, I, Joseph P. Work, of the law firm of Smith, Smith and Work, do hereby accept service of a copy of the Notice of Master's Hearing.


(Attorney for Plaintiff)