

DOCKET NO. _____

NUMBER	TERM	YEAR
94	May	1961

MARTHA ELIZABETH LUZIER

VERSUS

ERNEST LYNN LUZIER

Lap-over Margin

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA.	
No. 94 May Term, 1961	
IN DIVORCE	
MARTHA ELIZABETH LUZIER	VS
ERNEST LYNN LUZIER	
MASTER'S REPORT	
UNCONTESTED	
Master's Fee \$35.00	

And now, Sept. 27, 1961, notice of presentation of
the within Report is hereby accepted and Terms made,
Bell, Alibbott & Sundre
S. M. L. Alibbott
Atty for Plaintiff

SMITH, SMITH & WORK
ATTORNEYS-AT-LAW
CLEARFIELD, PA.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARTHA ELIZABETH LUZIER

VS

No. 94 May Term, 1961

ERNEST LYNN LUZIER

In Divorce

MASTER'S NOTICE

TO:

You are hereby notified that I have been appointed Master in the divorce action of Martha Elizabeth Luzier vs. Ernest Lynn Luzier, in the Court of Common Pleas of Clearfield County, Pennsylvania, to No. 94 May Term, 1961, and that I will hold a meeting for the purpose of taking testimony at the office of Smith, Smith & Work, Esqs., 101 North Second Street, Clearfield, Pennsylvania, on Friday, August 25, 1961, at 10 A.M., E.D.S.T., when and where you may attend with witnesses, if you so desire.

W. H. Silberblatt
Master

NOW, the 2nd day of August, 1961, service is hereby accepted on behalf of the Plaintiff Defendant.

BELL, SILBERBLATT & SWOOP

BY M. L. Silberblatt

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARTHA ELIZABETH LUZIER

VS

: No. 94 May Term, 1961

ERNEST LYNN LUZIER

: In Divorce

MASTER'S NOTICE

TO: Ernest Lynn Luzier
1920 Niagara Street, Apartment 2-B
Buffalo, New York

You are hereby notified that I have been appointed Master in the divorce action of Martha Elizabeth Luzier vs. Ernest Lynn Luzier, in the Court of Common Pleas of Clearfield County, Pennsylvania, to No. 94 May Term, 1961, and that I will hold a meeting for the purpose of taking testimony at the office of Smith, Smith & Work, Esqs., 101 North Second Street, Clearfield, Pennsylvania, on Friday, August 25, 1961, at 10 A.M., E.D.S.T., when and where you may attend with witnesses, if you so desire.


Master

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARTHA ELIZABETH LUZIER :
VS : No. 94 May Term, 1961
ERNEST LYNN LUZIER : In Divorce

MASTER'S REPORT

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE:

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

, S C H E D U L E

1. The Complaint in Divorce: Presented and filed on May 17, 1961.
2. Service of the Complaint: Service of the Complaint was made upon the Defendant by registered mail, return receipt, addressee only, at his place of residence at 1920 Niagara Street, Apartment 2-B, Buffalo, New York on June 5, 1961.
3. Appointment of Master: William U. Smith was appointed Master on July 28, 1961.
4. Date and Place Fixed for Hearing: Hearing in this cause was held on August 25, 1961, at 10 A.M., E.D.S.T., at the office of the Master, 101 North Second Street, Clearfield, Pennsylvania. The Defendant did not appear in person, nor was he represented by counsel.
5. Notice of Master's Hearing: Notice of Master's Hearing was served on counsel for the Plaintiff, and was served on the Defendant by registered mail, return receipt, addressee only, at his place of residence at 1920 Niagara Street, Apartment 2-B, Buffalo, New York, on August 3, 1961.

6. Master's Hearing: Held August 25, 1961, at 10 A.M., E.D.S.T., at the office of the Master at 101 North Second Street, Clearfield, Pennsylvania. Plaintiff appeared in person, together with a witness, Sarah Hummel, and her attorney, M.L. Silberblatt. The Defendant did not appear and was not represented by counsel.

CAUSE OF DIVORCE

Desertion.

FINDINGS OF FACT

1. Marriage: The Plaintiff and Defendant were married on November 15, 1958, by Rev. E. Roy Hauser in Clearfield, Penna.

2. Residence and Citizenship: The Plaintiff and Defendant are citizens of the United States, and at the time of the hearing the Plaintiff resided at the Rear of 13 Mt. Joy Road, Clearfield, Pennsylvania. The Defendant resides at 1920 Niagara Street, Apartment 2-B, Buffalo, New York.

During the parties entire married life they lived together in Clearfield County.

3. Ages and Occupations: The Plaintiff is 24 or 23 years old and is employed by the Bethlehem Steel Company in Buffalo, New York. The Defendant is 21 years old and is a housewife.

4. Children: One child was born of this marriage: Pamela Luzier, who was born October 4, 1958.

5. Armed Forces: The Defendant is not a member of any branch of the Armed Forces of the United States of America.

6. Findings of the Merits: The grounds for divorce in the Complaint were desertion:

(a). On or about November 30, 1958, the Defendant did willfully and maliciously, and without cause, absent himself from habitation with the Plaintiff.

(b). Defendant has persisted in this willful and malicious absence from the common habitation of the parties for a period exceeding two years.

(c). The Defendant during this period of time has made no effort to provide a home for the Plaintiff or rejoin the Plaintiff in a common habitation.

(d). The Plaintiff gave the Defendant no reason to act in this fashion.

(e). The divorce proceedings were not the result of collusion between the Plaintiff and Defendant.

DISCUSSION

The grounds for divorce alleged are desertion. The Defendant did not appear by counsel or witness at the hearing. The Plaintiff appeared together with a witness. On the basis of the testimony, none of which the Master has any reason to doubt, it appears that within fifteen days of this marriage that the Defendant, without any cause whatsoever, left his wife who was then a minor. Since that time he has made no effort whatsoever to provide a home for his wife and child or a place for common habitation. During this period he has not provided for her support or otherwise observed any of the common attributes of marriage.

The Plaintiff at all times has made an effort to keep this marriage together; but, because of Defendant's total indifference to the same, these efforts were unsuccessful.

It, therefore, appears that the Plaintiff has shown that the Defendant has willfully, maliciously and without any cause whatsoever, deserted her for a period exceeding two years. This

constitutes grounds for divorce in Pennsylvania - Clark vs. Clark, 172 Pa. Superior 5, (1953); Carr vs. Carr, 160 Pa. Superior 124, (1947).

The Master further finds that the Defendant has and does continue in this course of conduct to a wife who has given him no reason to act in this fashion.

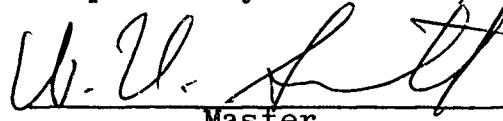
CONCLUSIONS OF LAW

1. The Court has jurisdiction of the subject matter and the parties.
2. Defendant did willfully and maliciously desert and absent himself from the Plaintiff, an innocent and injured spouse, without reasonable cause, from November 30, 1958 and continued to absent himself to date - all of which is contrary to Section 10 (1)(d) of the Act of May 2, 1929, P.L. 1237, 23 Purdons, Section 10 (1)(d).
3. The proceedings conform to the rules of Court and requirements of law.
4. This divorce proceeding was not the result of collusion between the Plaintiff and Defendant.

RECOMMENDATION

The Master recommends a decree granting Martha Elizabeth Luzier a divorce a vincullo matrimonii from Ernest Lynn Luzier, a form of Decree being hereto attached.

Respectfully submitted,



Master

In the Court of Common Pleas of Clearfield County, Pennsylvania

XX XX XX XX XX XX XX XX

MARTHA ELIZABETH LUZIER } Of May Term, 19 61
VERSUS } No. 94
ERNEST LYNN LUZIER } DIVORCE

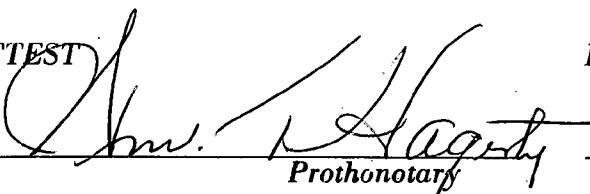
And Now, the 27 day of Sept 19 61 the
report of the Master is acknowledged. We approve his findings and recommendations; except
as to _____

We, therefore, DECREE that Martha Elizabeth Luzier be
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-
tracted between ~~himself~~ and Ernest Lynn Luzier.
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 _____

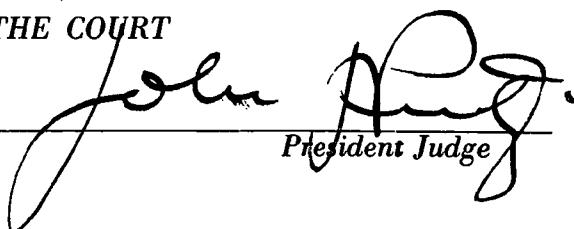
The Prothonotary is directed to pay the Court costs, including Master's fees, as noted herein, out of the deposits received and then remit the balance to the libellant. No Decree to issue until the costs be fully paid. We do further award to the said _____

his
her costs expended in this action.

ATTEST


John H. Hagerty
Prothonotary

BY THE COURT


John H. Dugay
President Judge

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

No. _____ *Term 19* _____

Libellant

VERSUS

Respondent

DECREE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARTHA ELIZABETH LUZIER

VS

: No. 94 May Term, 1961

ERNEST LYNN LUZIER

: IN DIVORCE

TESTIMONY

THE ABOVE CAPTIONED MATTER CAME ON FOR HEARING AS SCHEDULED PURSUANT TO NOTICE AT THE OFFICE OF SMITH, SMITH & WORK, 101 NORTH SECOND STREET, CLEARFIELD, PENNSYLVANIA, AT 10 A.M., E.D.S.T.

Present were the Plaintiff, Martha Elizabeth Luzier, Sarah Hummel, a witness for the Plaintiff, and Plaintiff's counsel, M.L. Silberblatt, Bell, Silberblatt & Swoope. The Defendant did not appear in person or by counsel.

The Master then presented for a part of the record a copy of the Master's Notice, together with return receipt signed by the Defendant, Ernest Lynn Luzier, showing that he received notice of said hearing by registered mail, addressee only, on August 3, 1961.

MARTHA ELIZABETH LUZIER, being duly sworn, testified as follows:

BY MR. SIIBERBLATT:

Q. Is your name Martha Elizabeth Luzier?

A. Yes.

Q. Were you married to Ernest Lynn Luzier?

A. Yes.

Q. What date were you married?

A. November 15, 1958.

Q. Where were you married?

A. By Rev. E. Roy Hauser in Clearfield.

Q. A Lutheran Minister in Clearfield?

A. Yes.

Q. At the time you were married, where did you live?

A. I was living with my parents.

Q. Where did they live?

A. In Woodland.

Q. Where did your husband live at the time of your marriage?

A. In Buffalo, but he came down to his parents.

Q. What was he doing in Buffalo?

A. He was working up there.

Q. Where did your husband's parents live?

A. In Woodland.

Q. So, was Woodland his home at that time?

A. No he had his home in Buffalo.

Q. How long had you known Ernest Lynn Luzier before you married him?

A. About six months.

Q. During that time, was he keeping company with you?

A. He came up to my parents' place and we went together.

Q. Are you a citizen of the United States?

A. Yes.

Q. Is your husband a citizen of the United States?

A. Yes.

Q. Where were you born?

A. In Woodland.

Q. How long did you live in Woodland until you moved somewhere else?

A. Until I was 19.

Q. Then when you were 19, where did you live?

A. I moved to the Rear of 13 Mt. Joy Road, Clearfield.

Q. Is that in Lawrence Township?

A. Yes.

Q. Where did you live after your marriage?

A. I was still staying with my parents.

Q. How long did you stay with your parents after your marriage?

A. Up until I was 19. I was married when I was 18 and I stayed with my parents until I was 19 going on 20.

Q. You say you were married in November of 1958 and at that time you lived with your parents in Woodland?

A. Yes.

Q. How long after your marriage was it until you moved to Lawrence Township?

A. I was married in 1958 and moved on March 7, 1959.

Q. And then you moved to the Rear of 13 Mt. Joy Road?

A. Yes.

Q. After your marriage, where did your husband go?

A. He went to Buffalo.

Q. What is your age?

A. 21.

Q. What is your occupation?

A. I get Public Assistance.

Q. Are you a housewife?

A. Yes.

Q. What is your husband's age?

A. 23 or 24.

Q. What is his occupation?

A. He worked at Bethlehem Steel at Buffalo.

Q. Were there any children born of this marriage?

A. One.

Q. When was that child born?

A. October 4, 1958.

Q. Was it a boy or a girl?

A. A girl.

Q. What is the girl's name?

A. Pamela Luzier.

Q. Where does this child live?

A. She lives with me.

Q. At your address at Rear 13 Mt. Joy Road?

A. Yes.

Q. Do you know whether your husband is in the Armed Service of the United States?

A. no.

Q. You say he is not in the Service of the United States?

A. No.

Q. You were married November 15, 1958. How long did you live with your husband until he deserted you?

A. Until November 30, 1958.

Q. On the 30th of November, 1958, what did he do?

A. He came down on the 29th and left on the 30th, and he promised to get me a place up there and take me up after Christmas and he told me to be ready. I was ready, but he did not come down after me.

Q. You say he did comedown on the 29th?

A. Yes, on November 29 and then he went back November 30th.

Q. Do you know what day of the week the 29th was in that year?

A. On a Saturday.

Q. What did he tell you then?

A. He was not there that day, but he came home that night and he was drunk then, and he did not talk, and, in fact, he didn't know nothing. On the 30th he said he would have a place for me and for me to be ready to go up after Christmas.

Q. Then November 30th was what day of the week?

A. A Sunday.

Q. That is when he told you he would have a place for you in Buffalo, is that right?

A. Yes.

Q. Did he ever ask you to come to Buffalo?

A. No.

Q. Did he ever write to you?

A. No.

Q. After November 30, 1958, do you know whether he was in Clearfield or around Clearfield?

A. Yes.

Q. Did he come out to see you?

A. He came back the 3rd of January of 1959.

Q. But did he come out to the house?

A. No.

Q. Did he call you on the telephone?

A. No.

Q. Was he ever in Clearfield after January?

A. He was in Clearfield other times, but I don't know what dates.

Q. Did he come to see you?

A. No.

Q. Has your husband ever asked you to come back with him?

A. No.

Q. Did your husband ever tell you he has a place for you in Buffalo?

A. No.

Q. Did you ever live with your husband after November 30, 1958?

A. No.

Q. So you say on November 30, 1958, he left you and never came back?

A. Yes, sir.

Q. Did you do anything to cause him to leave you?

A. No.

Q. Were you a good and dutiful wife?

A. Yes.

Q. Is there any agreement between you and your husband to get this divorce?

A. No.

Q. I show you a card, a return receipt card to registered mail, and you will note on that card there is written the name of Ernest Lynn Luzier. Is that your husband's signature?

A. Yes.

Q. And you know his signature?

A. Yes.

By Mr. Silberbiatt: We offer in evidence, again, the signature card. Admitted by the Master.

Q. Did you ever have your husband arrested for nonsupport?

A. Yes.

Q. Did the case come up in Court?

A. Yes it came up and we had a hearing before the Judge.

Q. Did the Court make an order for support.

A. Yes.

By Mr. Silberblatt: We offer in evidence the proceedings of the case in Commonwealth, ex. rel, Martha Elizabeth Luzier, vs. Ernest Lynn Luzier. Admitted by the Master.

BY THE MASTER:

Q. Were you married in Clearfield by Rev. Hauser, a Lutheran Minister?

A. Yes.

MRS. SARAH HUMMEL, being duly sworn, testified as follows:

BY MR. SILBERBLATT:

Q. Are you related to Martha Elizabeth Luzier?

A. Yes.

Q. What is your relationship?

A. Sisters

Q. How old are you?

A. 23.

Q. Do you know about the marriage of your sister, Martha to Ernest Lynn Luzier?

A. Yes.

Q. Were you at the wedding?

A. Yes.

Q. Did they live together very long after their marriage?

A. No.

Q. How long would you say?

A. They lived together until November 30, 1958.

Q. What happened on the 30th of November, 1958?

A. He came down and he never came back. My husband took her down on the 29th to his parents and they brought her back up on the 30th, and he left and never came back.

Q. You say he took her to her parents?

A. No, my husband took her to his parents.

Q. Took whom?

A. Martha.

Q. To his people?

A. Yes.

Q. How long were they there?

A. They came back the 30th.

Q. Just a day?

A. Yes.

Q. Have you seen him since then?

A. No.

Q. Did you live near your sister, Martha Elizabeth
Luzier?

A. Across the yard from her.

Q. Do you know whether your sister lived with her husband
after November 30, 1958?

A. No she did not live with him after that.

Q. If she did live with him, you would have know it, is
that right?

A. Yes.

Q. You say you lived across the street from her?

A. Yes.

Q. Did your sister do anything to cause her husband to
leave her?

A. No.

Q. Was she a good and dutiful wife?

A. Yes.

Q. Do you know of any agreement between them to get
this divorce?

A. no

#1-INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver ONLY to
addressee

_____ *Indicates when delivered*

delivered *(Additional charges required for these services)*

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

Ernest L. Higgin
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY
Delivery to Agent

Deliver to Addressee Only

DATE DELIVERED 10/10/05 ADDRESS WHERE DELIVERED (only if requested)

100

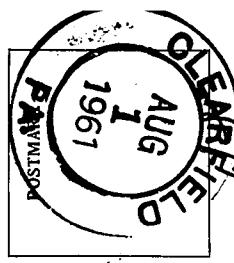
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C55-16-71548-4

POST OFFICE DEPARTMENT OFFICIAL BUSINESS		PENALTY FOR PRIVATE USE PAYMENT OF POSTAGE	
		POSTMARK OF DELIVERING OFFICE	
		STATI	
 Aug 30 1958 Clearfield, PA		<small>INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.</small>	
REGISTERED NO.	NAME OF SENDER		
100	Smith, Smith & Work		
CERTIFIED NO.	STREET AND NO. OR P. O. BOX		
	P. O. Box 130		
INSURED NO.	CITY, ZONE AND STATE		
	CLEARFIELD, PA		

PCP Form 381 Jan 1958

REGISTERED NO. 208



Value \$ 50 Spec. del'y fee \$ 10
Fee \$ 50 Ret. receipt fee \$ 10
Surcharge \$ — Rest. del'y fee \$ 50
Postage \$ 04 Airmail

Postmaster, By

From Smith, Smith & Lee
Clarendon
To Mr Ernest Lynn Livingston
1920 Maudine St Apt 2-B
POD Form 3806 Dec 1959

048-10-70483-4

SAVE THIS RECEIPT. Present it when making inquiry or
claim.

Claim must be filed within 1 year from the date of
mailing.

Consult postmaster as to fee chargeable on registered
parcel post packages addressed to foreign countries.

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

No. 94 May Term, 1961

MARTHA ELIZABETH LUZIER

vs.

ERNEST LYNN LUZIER

AFFIDAVIT OF SERVICE
BY REGISTERED MAIL

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

COMMERCIAL PRINTING CO., CLEARFIELD, PA.

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

MARTHA ELIZABETH LUZIER :

vs. : No. 94 May Term, 1961

ERNEST LYNN LUZIER :

AFFIDAVIT OF SERVICE BY REGISTERED MAIL

Before me, the undersigned authority, in and for the said County and State, comes Helen L. Martell, who being first duly sworn according to law, deposes and says:

1. That on the 31st day of May, 1961, she did send by Registered Mail, Return Receipt Requested, Deliver to Addressee Only, to Ernest Lynn Luzier, 1920 Niagara Street, Apartment 2-B, Buffalo, New York, a Certified Copy of a Complaint in Divorce, filed by the Plaintiff, Martha Elizabeth Luzier, to the term and number above set out, receiving a receipt for said registered letter at Clearfield Post Office, being #1852, which is attached hereto.

2. That on the 5th day of June, 1961, the said Ernest Lynn Luzier did sign a registered receipt for said article, said receipt being attached hereto and made a part hereof.

3. That the Affiant further states that she served the defendant, Ernest Lynn Luzier, a true and correct copy of the Complaint in Divorce by Registered Mail, return receipt requested, deliver to addressee only, at 1920 Niagara Street, Apartment 2-B, Buffalo, New York.

And further, Deponent saith not.

Helen L. Martell

Sworn and subscribed to before
me this 26th day of July, 1961.

Theresa Dagerly

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

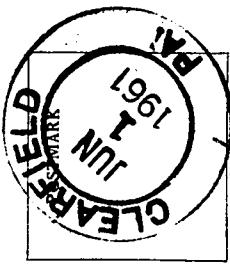
REGISTERED NO. 1852

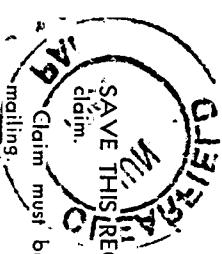
Value \$ 11.00 Spec. del'ly fee \$ _____
 Fee \$ 0.20 Ret. receipt fee \$ 0.00
 Surcharge \$ _____ Rest. del'ly fee \$ 0.00
 Postage \$ 0.00 Airmail Postmaster, By NA

From Ernest Lynn 6421 1/2
 To Burgess 6421 1/2
Be 11 5th & 6th Sts St. Paul Minnesota

POD Form 3806
 Dec. 1959

68-10-70493-4





SAVE
THIS
RECEIPT.

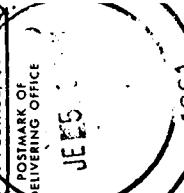
Present it when making inquiry or
claim.

Claim must be filed within 1 year from the date of
mailing.

Consult postmaster as to fee chargeable on registered
parcel post packages addressed to foreign countries.

U.S. GOVERNMENT PRINTING OFFICE 648-16-70488

RECEIVED
MAY 1942
U.S. MAIL

	
POST OFFICE DEPARTMENT OFFICIAL BUSINESS	
RAIL SPUR	
PENALTY FOR IMPROPER USE OF A CANCELLING DEVICE PAID BY THE POSTAGE, \$300.00	
POSTMARK OF DELIVERING OFFICE	
1961	
JE 5	
RETURN TO	
	
INSTRUCTIONS: Fill in items below and complete #4 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.	
1852 REGISTERED NO.	NAME OF SENDER Bell, Silberblatt & Swoope
CERTIFIED NO.	STREET AND NO. OR P. O. BOX P. O. Box 670
INSURED NO.	CITY, ZONE AND STATE Clearfield, Pa.
POD Form 3811 Jan. 1958	
C55-16-71546-4	

1-INSTRUCTIONS TO DELIVERING EMPLOYEE

Deliver ONLY to
addressee

Show address where delivered

Received the numbered article described on

(Additional charges required for these services)

DATE DELIVERED _____

ADDRESS WHERE DELIVERED (only if requested in item #1)

C55-16-71548-4 GPO

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

Martha Elizabeth Luzier :
vs. : No. 94 May Term, 1961
Ernest Lynn Luzier : IN DIVORCE

DOCKET ENTRIES

May 17, 1961, COMPLAINT IN DIVORCE filed: One Copy certified to Attorney.

May 31, 1961, One copy certified to the Sheriff.

July 26, 1961, Affidavit of Service by registered Mail:

Before me, the undersigned authority, in and for the said County and State, comes Helen L. Martell, who being first duly sworn according to law, deposes and says:

1. That on the 31st day of May, 1961, she did send by registered Mail, Return Receipt Requested, Deliver to Addressee Only, to Ernest Lynn Luzier, 1920 Niagara Street, Apartment 2-B, Buffalo, N. Y., a certified copy of the Complaint In Divorce, filed by the Plaintiff, Martha Elizabeth Luzier, to the term and number above set out, receiving a receipt for said registered letter at Clearfield Post Office, being #1852, which is attached hereto.

2. That the Affiant further states that she served the defendant, Ernest Lynn Luzier, a true and correct copy of the Complaint In Divorce by Registered Mail, return receipt requested, deliver to addressee only, at 1920 Niagara Street, Apartment 2-B, Buffalo, New York.

And further, Deponent saith not. s/ Helen L. Martell.

And Now, June 27, 1961, By motion on the Watch-book, William J. Smith, Esq., is appointed master to take the testimony and report the same with form of Decree. By the Court, John J. Pentz, P. J.

Certified from the record this 28th day of July, A. D., 1961

Wm T. Flaggerty
Prothonotary

MARTHA ELIZABETH LUZIER
Plaintiff
vs.
ERNEST LYNN LUZIER.
Defendant

In the Court of Common Pleas,
of Clearfield County, Pennsylvania,
No. 94 May Term 1961.

Complaint in Divorce

- 1 (a) The name of the plaintiff is Martha Elizabeth Luzier.
 - (b) The name of the defendant is Ernest Lynn Luzier.
 - 2 The plaintiff resides at Rear 13 Mt. Joy Road, Lawrence Twp., Clearfield, Pa.
 - 3 (a) The defendant is a citizen of United States of America
and was last known to reside at 90 Royal Ave., Buffalo 7, New York
~~(b) The plaintiff has no knowledge of the whereabouts of the defendant.~~
 - 4 The plaintiff has resided in the Commonwealth of Pennsylvania for 21 years, and has been a bona fide resident of Clearfield County, Pennsylvania for ~~at least 20 days past~~
21 years.
 - 5 The plaintiff and defendant were married on Nov. 15, 1958, at Clearfield, Pa., by E. Roy Hauser, a Lutheran minister.
 - 6 The defendant has:
 - (a) ~~xx and has resided in Clearfield, Pa., during the life of the plaintiff who is the injured and innocent spouse.~~
 - (b) ~~xx offered no kind of assistance to the plaintiff who is the injured and innocent spouse, as the defendant is unable to support the plaintiff.~~
 - (c) Committed wilful and malicious desertion, and absence from the habitation of the plaintiff who is the injured and innocent spouse, without reasonable cause, for and during the term and space of two years, to wit, from Sunday, November 30, 1958, and which desertion is ~~xx continued adhuc~~ being persisted in at the present time.
 - 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 There was one child born to this marriage; namely, Pamela Luzier, born October 4, 1958, who resides with the Plaintiff herein at Rear 13 Mt. Joy Road, Clearfield, Pa.

WHEREFORE, plaintiff respectfully prays that a decree of this Honorable Court may be made for the divorcing and separating of the said Ernest Lynn Luzier, 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 Plaintiff prays for a divorce a vinculo matrimonii from the Defendant.

Commonwealth of Pennsylvania,
County of Clearfield } ss.

Bell, Silverblatt, Sunshe
Silverblatt

SEAL

(Atty's for Plaintiff)

Personally appeared before me, a Notary Public, in and for said county, Martha Elizabeth Luzier, 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

15th day of May, A.D. 1961.

Martha Elizabeth Lorig 

SEAL

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

In the Court of Common Pleas of
Clearfield County, Pennsylvania
No. 74, May Term, 1961

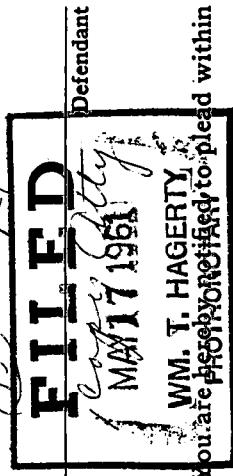
MARTHA ELIZABETH LUZIER

versus

ERNEST LYNN LUZIER

Complaint in ~~Divorce~~

To Ernest Lynn Luzier



Bell, Alberlatto & Kunkle
of M. Y. Alberlatto
Plaintiff's Attorney
Clearfield County, Pa.
Address: Clearfield, Pa.

450 attorney

Clearfield County, ss:

The Commonwealth of Pennsylvania, to

William U. Smith, 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

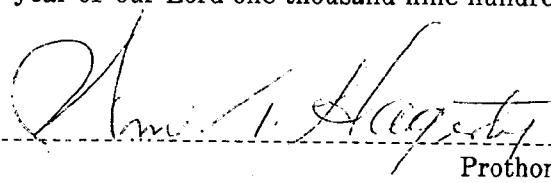
Martha Elizabeth Luzier Plaintiff , and

Ernest Lynn Luzier 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.

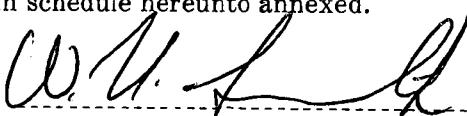
In Testimony Whereof, we have caused the seal of our said Court to be hereunto affixed.

WITNESS, the Hon. John J. Pentz, President of our said Court, at Clearfield, the 28th day of July, 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.





W. U. Smith
COMMISSIONER.

No. 94 May Term 1961

MARThA ELIZABETH LUZIER

VERSUS

ERNEST LYNN LUZIER

COMMISSION

Attorney.