

DOCKET NO. 175

NUMBER	TERM	YEAR
94	November	1961

William Watro, a minor, by his  
father and Natural Gdn., Peter Watro

VERSUS

Linda Lee (Simcox) Watro, a minor

Master not to be appointed until notice  
by Edward J. Kelly, Attorney

Clearfield County, ss:

The Commonwealth of Pennsylvania, to John Scollins, Esquire

Greeting:

Know you, that in confidence of your prudence and fidelity we have appointed you, and by these presents do give unto you full power and authority, in pursuance of an order made in our County Court of Common Pleas, for the County of Clearfield, in a certain cause there depending, wherein

William Watro, a minor, by his father and Natural Guardian, Peter Watro

Plaintiff,

and Linda Lee (Simcox) Watro, a minor, Richard Simcox, Gdn. Ad Litem

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 a 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 Tenth day of February, in the year of our Lord one thousand nine hundred and Sixty-Two

Carl E. Walker

Prothonotary

To the Honorable, the Judge, &c.:

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

John Scollins  
COMMISSIONER.

No. 94 November Term. 19 61.

William Watro, a minor, by his  
father and Natural Guardian,  
Peter Watro

VERSUS

Linda Lee (Simcox) Watro, a  
minor

Richard Sixcox, Gdn. ad litem

COMMISSION

Kelly, Johnston & Cimino Attorney.

IN THE COURT OF COMMON PLEAS, CLEARFIELD COUNTY, PENNSYLVANIA

William Watro, a minor :  
 :  
by his father and Natural :  
Guardian, Peter Watro :  
 :  
vs : 94 November Term 1961  
 :  
Linda Lee (Simcox) Watro, :  
 :  
a Minor :  
 :  
Richard Simcox, Gdn. Ad :  
Litem :

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

NOVEMBER 16, 1961, COMPLAINT IN DIVORCE filed. One copy certified to the Sheriff.

November 29, 1961, Affidavit of Service of Complaint in Divorce filed: Robert Showers being duly sworn according to law deposes and says, that he is a Constable of the Commonwealth of Pennsylvania in Oaceola Mills, Clearfield County, Pennsylvania and that on the 23rd day of November, 1961 at 3:30 o'clock P.M. EST he did in his capacity of Constable of the Commonwealth of Pennsylvania, personally serve upon Linda Lee Watro, the defendant above named in the above captioned divorce action, a true and correct copy of the Complaint in Divorce by handing the said copy of the Complaint in Divorce to the said defendant, Linda Lee Watro, in person at her residence at 701 Walton Street in Chester Hill Borough, Clearfield County, Pa. and by further making known to her the contents thereof.

Said certified copy of the within complaint in Divorce was duly endorsed with notice thereon for Defendant to appear and answer same within twenty (20) days from the date of service thereof or the cause of action would proceed without her. /s/ Robert Showers, Constable

November 29, 1961, Petition for Appointment of Guardian Ad Litem filed by Kelley, Johnston & Cimino, Attys.

DECREE OF COURT: AND NOW, to-wit: this 29th day of November, 1961, upon consideration of the foregoing Petition and on motion of Kelley, Johnston & Cimino, Attorneys for the Plaintiffs, the Court appoints Richard Simcox, guardian ad litem of the said Linda Lee Watro. By the Court, John J. Pentz., P.J.

Certified from the records this 10th day of February, 1962

Carl E. Walker

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM WATRO, (a Minor)	:	
by his father and Natural	:	
Guardian, PETER WATRO,	:	
Plaintiffs	:	
vs.	:	No. 94, Nov. Term, 1961
	:	
LINDA LEE WATRO, (a Minor)	:	-----
and RICHARD SIMCOX, Guard-	:	In Divorce.
ian ad Litem,	:	
Defendants	:	

NOTICE OF MASTER'S MEETING

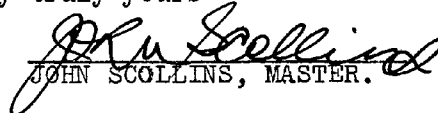
To Linda Lee Watro (a Minor) and  
Richard Simcox, Guardian ad Litem,  
710 Walton Street, Chester Hill Borough,  
Clearfield County, Pa.

You are hereby notified that I have been appointed  
Master to take testimony in the above action brought against  
you by William Watro (a Minor) by his father and Natural  
Guardian, Peter Watro, Plaintiffs, for divorce on the ground  
of Indignities.

I shall hold a meeting on Tuesday, March 6, 1962  
at two o'clock P.M., E.S.T., at my office 615 Brisbin Street  
in the Borough of Houtzdale, Pennsylvania, for the purpose of  
taking testimony, at which time and place you are requested  
to appear with your witnesses to present testimony.

Very truly yours

Dated at Houtzdale, Pa.,  
February 10, 1962.

  
JOHN COLLINS, MASTER.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM WATRO (a Minor)  
by his father and Natural  
Guardian, PETER WATRO,  
Plaintiffs

vs.

No. 94, Nov. Term, 1961

LINDA LEE WATRO (a Minor)  
and Richard Simcox, Guard-  
ian ad Litem,  
Defendants.

In Divorce

AFFIDAVIT OF SERVICE

COUNTY OF CLEARFIELD, SS:

Before me, the undersigned authority, personally  
appeared Robert Showers, Constable of Osceola Borough, who  
being duly sworn according to law, deposes and says that he  
did serve the annexed Notice of Master's Meeting on Linda Lee  
Watro (a Minor) and Richard Simcox, Guardian ad Litem, the  
defendants on February 13, 1962, at 4 o'clock P M.,  
E.S.T., at 710 Walton Street Chester Hill Penn  
by handing them personally a true and attested copy of the  
original Notice of Master's Meeting, and made known to them  
the contents thereof.

And further saith not.

Robert Showers  
Constable.

Sworn a nd subscribed to before me

this 13 day of February, 1962.

Kathryn L. Collins

NOTARY PUBLIC  
My Commission Expires March 9, 1963

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM WATRO (a Minor) :  
by his father and Natural :  
Guardian, PETER WATRO, :  
Plaintiffs :  
vs. : No. 94, Nov. Term, 1961  
: -----  
LINDA LEE WATRO (a Minor) : In Divorce  
and RICHARD SIMCOX, Guard- :  
ian ad Litem, :  
Defendants :

NOTICE OF MASTER'S MEETING.

To William Watro (a Minor) and  
Peter Watro, Guardian  
R.D.1, Box 208 Philipsburg, Morris Township,  
Clearfield County, Pa.

You are hereby notified that I have been appointed  
Master to take testimony in the above action brought by you  
against Linda Lee Watro (a Minor) and Richard Simcox, Guardian  
ad Litem, Defendants, for divorce on the ground of Indignities.

I shall hold a meeting on Tuesday, March 6, 1962  
at two o'clock P.M., E.S.T., at my office 615 Brisbin Street  
in the Borough of Houtzdale, Pennsylvania, for the purpose of  
taking testimony, at which time and place you are requested  
to appear with your witnesses to present testimony.

Very truly yours

Dated at Houtzdale, Pa.,  
February 10, 1962.

  
JOHN SCOLLINS, MASTER.

And now, February 10<sup>th</sup>, 1962 Notice of Master's hearing accepted  
and receipt of copy acknowledged.

KELLEY, JOHNSTON & CIMINO

  
Edward T. Kelley, Counsel  
for Plaintiff



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA  
WILLIAM WATRO, (a minor) :

by his father and next friend;

Peter Watro, Plaintiffs : No. 94 Nov. Term, 1961

vs.

LINDA LEE WATRO, a minor  
Defendant :

In Divorce

AFFIDAVIT OF SERVICE OF COMPLAINT  
IN DIVORCE

State of Pennsylvania :  
County of Clearfield : SS.

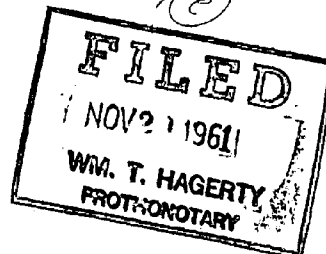
Robert Showers being duly sworn according to law,  
deposes and says, that he is a Constable of the Commonwealth of  
Pennsylvania in Osceola Mills, Clearfield County, Pennsylvania  
and that on the 23<sup>rd</sup> day of November, 1961 at 3<sup>30</sup> o'clock  
P.M. E.S.T. he did in his capacity of Constable of the Common-  
wealth of Pennsylvania, personally serve upon Linda Lee Watro,  
the defendant above-named in the above captioned divorce action,  
a true and correct copy of the Complaint in Divorce by handing  
the said copy to said defendant, Linda Lee Watro, in person at  
her residence at 701 Walton Street in Chester Hill Borough,  
Clearfield County, Pa. and by further making known to her the  
contents thereof.

Said certified copy of the within Complaint in Divorce was  
duly endorsed with notice thereon for Defendant to appear and  
answer same within twenty (20) days from the date of service  
thereof or the cause of action would proceed without her.

Robert Showers  
Constable

Sworn and subscribed to be-  
fore me this 23<sup>rd</sup> day of  
November, 1961

Joseph Harter  
Notary Public  
Notary Public Osceola Mills Borough Clearfield Co.  
My Commission Expires January 18 - 1964



*Copy of divorce  
served on Linda Lee  
Watro  
11-23-61*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM WATRO, a minor, by  
PETER WATRO, his father and  
Natural Guardian,  
Plaintiffs.

vs.

LINDA LEE (SIMCOX) WATRO  
(a minor) Defendant

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No. 94

Nov

TERM, 1961

In Divorce

COMPLAINT

AND NOW, this 20 day of <sup>October</sup> November, 1961 comes the Plaintiffs William Watro, a minor, by his father and natural Guardian, Peter Watro, and by their Attorneys Kelley, Johnston & Cimino, bring this action in divorce of which the following is a statement:

1. The Plaintiff in this action is William Watro, who is a minor, and files this divorce through his father and natural Guardian, Peter Watro, of R.D. 1, Box 208, Philipsburg, Morris Township, Clearfield County, Pennsylvania. The said Plaintiff, William Watro, is presently in the Military Service of the United States Army and is stationed in Grand Forks, North Dakota in the 478th Civil Engineering Squadron.

2. The defendant herein, Linda Lee (Simcox) Watro resides at 701 Walton Street, Chester Hill Borough, Clearfield County, Pennsylvania.

3. The plaintiff herein, William Watro, is a citizen of the United States and has resided in the Commonwealth of Pennsylvania all of his life since the time of his birth and he is presently over eighteen years of age.

4. The Defendant herein, Linda Lee (Simcox) Watro, is a citizen of the United States and has resided in the Commonwealth of Pennsylvania since the time of her birth on January 16, 1945.

5. The parties hereto were lawfully joined in marriage on December 23, 1960 in the Village of Morrisdale, Morris Township, Clearfield County, Pennsylvania by Reverend Richard J. Hackenberry, a Methodist Minister.

6. There was one child born of this marriage, namely, William Lynn Watro, born on February 23, 1961; and said child presently resides with his mother, the defendant herein, at the home of her parents, Mr. and Mrs. Richard Simcox, of 701 Walton Street, Chester Hill Borough, Clearfield County, Pennsylvania.

7. In violation of her marriage vows and the laws of this Commonwealth, the Defendant, Linda Lee (Simcox) Watro, offered such indignities to the person of the injured and innocent spouse as to render his condition intolerable and life burdensome.

8. This action is not collusive.

9. The Plaintiff herein avers that no action in divorce has been commenced by either of the parties hereto in any County Court within or without the Commonwealth of Pennsylvania.

WHEREFORE, the Plaintiff prays that a Decree of Divorce (A Vinculo Matrimonii) from the bonds of matrimony be entered divorcing Plaintiff from the defendant.

KELLEY, JOHNSTON & CIMINO  
By Edward T. Kelley  
Edward T. Kelley,  
Attorney for Plaintiffs.

STATE OF PENNSYLVANIA :  
COUNTY OF CENTRE : SS.  
:

WILLIAM WATRA, being duly sworn according to law,  
deposes and says, that the facts set forth in the foregoing  
COMPLAINT, are true and correct, according to the best of  
his knowledge, information and belief.

William Watra  
William Watra

Sworn and subscribed to before  
me this 20<sup>th</sup> day of Oct., 1961

Suzaldine E. Craft  
Notary Public

My comm. exp: 3-5-1965

94 Dec 1961

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

No.            Tm, 1961

In Divorce

William Watro, a minor, by  
his father and Natural  
Guardian, Peter Watro,  
Plaintiffs

VS.

Linda Lee (Simcox) Watro, a  
minor Defendant

COMPLAINT

DEFENDANT Defendant:

An Answer

to the within Complaint

KELLEY, JOHNSTON & CIMINO

Attorneys for Plaintiffs

KELLEY, JOHNSTON & CIMINO

**FILED**  
APPROPRIATELY  
FILED IN  
WM. T. WAGNER

900 Equity

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

WILLIAM WATRO (a minor) by  
his father and next friend,  
and Natural Guardian,  
PETER WATRO,

Plaintiffs

vs.

LINDA LEE WATRO, a minor, above  
the age of sixteen years.  
Defendant

NO. 94

Nov. Term, 1961

In Divorce

PETITION FOR APPOINTMENT OF GUARDIAN AD LITEM

TO The Honorable John J. Pentz, President Judge of said Court:

The petition of William Watro, a minor, by his father and next friend, and natural Guardian, PETER WATRO, the plaintiffs in this action, respectfully represents:

1. That the above-named Linda Lee Watro, the defendant, is a minor of the age of sixteen (16) years on January 6, 1961 and has no guardian; that service of the Complaint in this action has been duly made upon the said minor, Linda Lee Watro, at her parents' residence, which is also the residence of said minor, at 710 Walton Street, Chester Hill Borough, Clearfield County, Pennsylvania.

2. Your petitioner therefore prays your Honorable Court to appoint a Guardian Ad Litem for such minor, and suggests the name of her father, Richard Simcox, as such Guardian.

And they will ever pray.

Peter Watro  
William Watro by his father  
and next friend and natural  
Guardian

KELLEY, JOHNSTON & CIMINO

By Edward T. Kelley  
Attorney for Plaintiffs

COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF CLEARFIELD :

PETER WATRO, one of the Plaintiffs herein, and  
father and natural Guardian of William Watro, Plaintiff,  
being duly sworn according to law, deposes and says that the  
facts stated in the foregoing petition are true and correct,  
according to the best of his knowledge, information and belief.

Peter Watro  
Peter Watro

Sworn and subscribed to before me this 20<sup>th</sup> day of  
November, 1961.

Heraldine E. Craft  
Notary Public

My comm. expires: 3-5-65

WILLIAM WATRO, (a minor) by :  
his father, next friend and :  
Guardian, PETER WATRO, :  
Plaintiffs

vs.

LINDA LEE WATRO, a minor, :  
Defendant :

: NO.

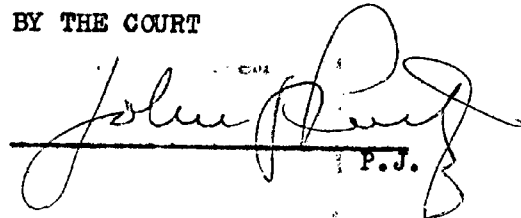
TERM, 1961

: IN DIVORCE

DECREE OF COURT

AND now, to-wit, this 29<sup>th</sup> day of November, 1961,  
upon consideration of the foregoing Petition and on motion of  
Kelley, Johnston & Cimino, Attorneys for the Plaintiffs, the  
Court appoints Richard Simcox guardian ad litem of the said  
Linda Lee Watro.

BY THE COURT

  
P.J.



IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
No. *27* *Nov* Tm, 1961

In Divorce

WILLIAM WATRO, (a minor) by  
his father and Natural  
Guardian, PETER WATRO,  
Plaintiffs

vs.

LONDA LEE WATRO, (a minor)  
Defendant

PETITION FOR THE APPOINTMENT  
OF A GUARDIAN AD LITEM

**FILED**  
NOV 29 1961  
WM. T. HAGERTY  
PROTHONOTARY

KELLEY, JOHNSTON & CIMINO  
ATTORNEYS AT LAW  
PHILIPSBURG, PA.

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

WILLIAM WATRO, a Minor, by	:	NO. 94, Nov. Term, 1961
PETER WATRO, his father and	:	
Natural Guardian,	:	
Plaintiff.	:	
	:	IN DIVORCE
VS.	:	
	:	
LINDA LEE (SIMCOX) WATRO,	:	
a Minor, and RICHARD SIMCOX,	:	
Guardian ad Litem,	:	
Defendants.	:	

MASTER'S REPORT

To the Honorable John J. Pentz, President Judge of said Court:

John Scollins, the Master appointed by your Honorable Court to take the testimony of witnesses in the above entitled matter, and to return the same together with a form of decree, respectfully reports:

That pursuant to his appointment on the 10th day of February, 1962, he set Tuesday, March 6, 1962 at two o'clock P.M., E.S.T., and his office 615 Brisbin Street in the Borough of Houtzdale, Pennsylvania, as the time and place of meeting for the purpose of taking testimony. Due notice in writing was given to Edward T. Kelley, Esq., attorney for the plaintiff, February 10th, 1962; and served personally upon the defendant, Linda Lee Watro, Minor, and Richard Simcox, Guardian ad Litem, February 13, 1962 at 4 o'clock P.M., E.S.T., at their residence 701 Walton Street, Chester Hill Borough, Clearfield County. Copies of said notices are hereto attached and made part of this report.

The meeting was held as appointed and was attended by Edward T. Kelley, Esq., counsel of record for the plaintiff, the plaintiff in person and Peter Watro, his father and Natural Guardian; and Walter Butler and Mary Lou Taylor, witnesses on

8

behalf of the plaintiff. The defendant and her Guardian were neither present in person; nor were they represented by counsel.

The plaintiff and his witnesses were sworn and examined upon the merits of the case. The original papers in this case are hereto attached and made a part of this report.

This is an uncontested case.

The Master further reports as follows:

I. Service of Process

The Complaint in this case was filed on November 16, 1961, and one copy certified to the Attorney.

On November 29, 1961, Affidavit of Service of Complaint in Divorce filed:

"Robert Showers, being duly sworn according to law, deposes and says, that he is a Constable of the Commonwealth of Pennsylvania in Osceola Mills, Clearfield County, Pennsylvania and that on the 23rd day of November, 1961 at 3:30 o'clock P.M. E.S.T. he did in his capacity of Constable of the Commonwealth of Pennsylvania, personally serve upon Linda Lee Watro, the defendant above-named in the above captioned divorce action, a true and correct copy of the Complaint in Divorce by handing the said copy to said defendant, Linda Lee Watro, in person at her residence at 701 Walton Street in Chester Hill Borough, Clearfield County, Pa. and by further making known to her the contents thereof.

Said certified of the within Complaint in divorce was duly endorsed with notice thereon for defendant to appear and answer same within twenty (20) days from the date of service thereof or the cause of action would proceed without her."

Sworn and subscribed to before Joseph T. Carter, Notary Public Osceola Mills Borough, Clearfield Co. the 23rd day of November, 1961, whose commission expires January 18, 1963."

II. Cause of Divorce

Indignities to the person.

III. Findings of Fact

1. Marriage: The plaintiff and defendant were married on December 23, 1960 in the Village of Morrisdale, Morris Town-

ship. Clearfield County, Pennsylvania, by Rev. Richard J. Hackenberry, a Methodist Minister.

2. Residence and Jurisdiction: At the time of the marriage, the plaintiff resided at Philipsburg, R.D. in Clearfield County; and the defendant resided at 701 Walton Street, in Chester Hill Borough, Clearfield County; both residents of the Commonwealth of Pennsylvania. Following their marriage they lived with their respective parents, and two days after their marriage plaintiff returned to his Army base with the U.S. Air Force, stationed at Grand Forks, North Dakota.

3. Age and Occupation: The plaintiff is 18 years of age and serving with the Air Force of the U.S.A.; he is a minor son of Peter Watro, his natural Guardian.

The defendant is 17 years of age, and following the birth of their child returned to school; she is represented in this proceeding by her Guardian ad Litem, Richard Simcox, appointed by Decree of your Honorable Court, dated November 29, 1961.

4. Children: There is one child born of this marriage, a male, on February 23, 1961.

5. Findings on the Merits and Discussion.

a. Findings of Fact.

1. During the course of the marriage the parties never set up house-keeping, or lived together in their own home; the plaintiff being in the Air Force, Stationed at Grand Forks, North Dakota; and the defendant continued living with her parents in Chester Hill Borough, Clearfield County, Pa., with their child.

2. An indignity to a person is an affront to the personality of another, a lack of reverence for the personality of one's spouse.

3. The offense of indignities is complete when a continued and persistent course of conduct demonstrates that the love and affection upon which the matrimonial status rests has been permanently replaced by hatred and estrangement; and that plaintiff was the innocent and injured spouse.

4. That in violation of her marriage vow, and the laws of this Commonwealth, Linda Lee (Simcox), Watro, the defendant, did offer such indignities to the person of the plaintiff as to render his condition intolerable and life burdensome.

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

6. The Complaint was not filed out of levity.

7. There has been no prior action for divorce or annulment of marriage brought by either party hereto in this or any other jurisdiction.

b. Discussion.

Two days after their marriage on December 23, 1960, plaintiff had to return to the base of the Air Force, U.S.A. at Grand Forks, North Dakota, and tried to persuade defendant to return there with him; but, defendant said: "to wait about a month". Plaintiff rented an apartment off the base, kept trying to persuade his wife to go to Grand Forks, and following the birth of their child, a male, on February 23, 1961, kept trying but to no avail, because defendant decided to go back to school.

Walter Butler, a witness in behalf of the plaintiff testified that meanwhile the ~~defendant~~ <sup>witness</sup> on different occasions saw the defendant out with different guys, always in the evenings, in cars and at dances. On one occasion in Philipsburg witness saw defendant get into a Chevy Coach with 4 or 5 boys, shutting the door behind her. Witness cautioned defendant to slow down; that her husband, a friend of witness,

was a nice boy and she should not run around with other guys. Defendant upbraided witness, called him all kind of names, and said: "what's the matter; are you jealous?"

Defendant saw her out a half- to a dozen times with the Peltons, the Kephart twins, the Winters and another guy, Bucky Domac, a married man, separated from his wife, and said he had had sexual intercourse with the defendant after she was married.

On another occasion witness walked into a restaurant and a fellow named Bryan was talking on the telephone, and making a date to go out with Linda Simcox and another girl and wanted witness to go along, and later defendant went by in a car with Dave Bryann in March, 1961.

Mary Lou Taylor, a witness in behalf of the plaintiff, testified that she and the defendant grew up together, and witness knew plaintiff since he and the defendant went together. Defendant told witness that she did not love plaintiff; that the only reason she married plaintiff was to give the baby a name; that witness made this known to the plaintiff, as they were good friends. The defendant talked about it a lot in school, and that word got back to plaintiff. Plaintiff was humiliated; he did not want to believe the things he heard, but it was common gossip in the community.

Peter Watro, witness, father of the plaintiff, testified that about three months ago, the plaintiff walked in to the parental home; stating that Linda was running around with other boys; and that it is true. The family treated defendant nice, her and the baby, but her mother was against the marriage all along, but we wanted to see them make a go of the marriage; the son joined the Army just to be able to keep the defendant and the baby, but she will have nothing to

do with him.

The Master had an opportunity to examine the plaintiff personally; his testimony disclosed that he was telling a straightforward and candid story. The defendant and her Guardian ad Litem were aware of the meeting and had an opportunity to present her defense, if any she had. They did not avail themselves of the opportunity afforded to deny the allegations of the Complaint and there appears no reason why the testimony as presented should not be taken as verity.

Under the Act of May 2, 1929, P.L. 1237 Section 10, any injured and innocent spouse may obtain a divorce, whenever the other spouse: "(f)" Shall have offered such indignities to the person of the injured and innocent spouse, as to render his or her condition intolerable and life burdensome."

It has been held that insults, studied neglect, manifest disdain or contempt, and every other plain manifestation of hate and estrangement need not be such as to necessarily endanger life or health, but if the course of conduct is of such a character as to render the condition of any person of ordinary sensibility and delicacy of feeling unendurable and life burdensome, it is sufficient to sustain the charge of indignities to the person.

#### IV. Conclusions of Law.

1. The plaintiff and defendant contracted a legal marriage and the marriage relation still subsists between them.
2. The parties are properly in Court.
3. The Court has jurisdiction over both of the parties and the subject matter.
4. The plaintiff is a competent witness who testified upon the merits of the case under the Act of May 2, 1929, P.L. 1237, Section 50.

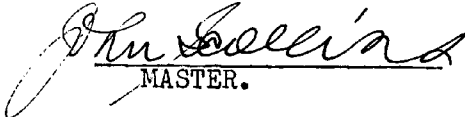
5. The facts testified to by the plaintiff and his witnesses are sufficient to establish the averment in the Complaint setting forth a cause of action on the ground of indignities to the person.

6. There has been no fraud or collusion between the parties to this suit.

7. The plaintiff is entitled to a divorce from the bonds of matrimony on the ground of indignities to the person

V. Recommendation.

In accordance with the foregoing Findings of Fact and Conclusions of Law, the Master respectfully recommends that a Judgment (Decree) of Divorce a vinculo matrimonii be entered as prayed for in the Complaint on the ground of indignities to the person, and herewith submits a form of decree.

  
MASTER.



In the Court of Common Pleas of Clearfield County, Pennsylvania

XXXXXXXXXXXXXXXXXXXX

WILLIAM WATRO (a Minor)  
by his father and Natural  
Guardian, PETER WATRO,  
Plaintiffs

VERSUS

LINDA LEE WATRO (a Minor)  
and RICHARD SIMCOX, Guard-  
ian ad Litem,  
Defendants

Of November Term, 1961

No. 94

DIVORCE

And Now, the 2nd day of April 1962, the

report of the Master is acknowledged. We approve his findings and recommendations; except  
as to

We, therefore, DECREE that WILLIAM WATRO be  
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-  
tracted between himself and LINDA LEE WATRO  
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 WILLIAM WATRO

his costs expended in this action.

ATTEST

BY THE COURT

Prothonotary

President Judge

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

No. \_\_\_\_\_ Term 19 \_\_\_\_\_

*Libellant*

*VERSUS*

*Respondent*

**DECREE**

*Attorney*

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

WILLIAM WATRO, a minor, by :  
PETER WATRO, his father and :  
Natural Guardian, :  
Plaintiffs. :  
VS. : no. 94, November Term, 1961.  
LINDA LEE (SIMCOX) WATRO :  
(a Minor), :  
Defendant : IN DIVORCE

Minutes of the meeting held at the offices of John Scollins, Esq., Master, 615 Brisbin Street, Houtzdale Borough, Clearfield County, Penn'a., on Tuesday, March 6th, 1962 at two o'clock P. M. Appearances noted: William Watro, a Minor, and Peter Watro, his father and Natural Guardian, plaintiffs, together with their Counsel, Edward T. Kelley, Esq.,; Walter Butler and Mary Lou Taylor, witnesses on behalf of the Plaintiff. The Defendant did not appear at the hearing, neither was she represented by Counsel. Counsel for Plaintiff offers in evidence the Complaint in Divorce, together with Return of Service, Affidavit of Service, Appointment of Master and all other papers as are of record to No. 94 November Term, 1961.

All parties being duly sworn, testified as follows:

William Watro, a Minor, the Plaintiff, being called and examined by Edward T. Kelley, Esq.,

Q.- What is your name?

A.- William Watro.

Q.- Where do you live?

A.- At Philipsburg, R.D., in Clearfield County, Pa.

Q.- Where in Clearfield County?

A.- Just outside Morrisdale.

Q.- How old are you?

A.- 18.

Q.- What is your occupation?

A.- I am with the Air Force of the United States, stationed at Grand Forks, North Dakota.

Q.- What is your wife's name?

A.- Linda Lee Simcox Watro.

Q.- When were you married?

A.- December 23, 1960.

Q.- Where and by whom were you married?

A.- At the Church in Morrisdale but I cannot remember the Clergyman's name.

Q.- After married where did you go to live?

A.- We lived at home, because two days after we were married I had to return to the base.

Q.- Did you spend any time with your wife at the time of your marriage?

A.- Just about two and a half days and then I left for the Army.

Q.- Were there any children born of this marriage?

A.- Yes, two months after we were married, on February 23, 1961 we had a baby boy.

Q.- Where is the baby?

A.- He is staying with my wife; she lives with her people; I tried to get her to come with me, but she said to wait about a month, and I tried for two and a half months to get her to come with me, but she wouldn't.

Q.- Did you arrange to have her come to the Camp?

A.- Yes I did; I got an apartment and I tried every way to get her to come with me but she refused.

Q.- Did you ask her to come and live there with you?

A.- Yes, and she said she was not coming because she decided to go back to school instead.

Q.- Since the time of your marriage how often did you come home?

A.- The first time I came, on October 20, 1961.

Q.- And what was the reception you received?

A.- When I got home, I went to my home first, and then about six o'clock that evening I went to see her, and she did not even say "hello" and it was nine months since I had seen her.

Q.- Did you want to take her out?

A.- Yes I did; I knew I could not stay at her place; I was told in a letter that I would not be able to stay at her parents' home as far as she was concerned, so I asked her to go out, to go to a movie or any place she wanted to go, but she would not even talk to me. She said I could only see the baby. After that October I arrived here Thursday night, the second of March, 1962.

Q.- How did this treatment affect you?

A.- I felt very bad about it; I loved the girl, and she would have nothing to do with me.

Q.- Did you get information about her activities while you were in the Service?

A.- Yes, when things first got going wrong I learned that she only married me to get a name for the baby.

Q.- How did that affect you?

A.- I felt very bad; I was unable to do my job because all I thought about was her.

Q.- Did you receive any word that she was running around with other men?

A.- Yes I did, and my own wife running around hurt me very badly.

Q.- Have you since heard other reports about your wife?

A.- Yes I have heard many reports about how she is running around. I had faith in her, but she demolished that; it ruined me.

Q.- Are both you and your wife citizens of Pennsylvania and of the United States?

A.- Yes sir.

Q.- How old is your wife?

A.- She is seventeen now.

Q.- Are her parents also against you?

A.- Yes they are; they do not want her to have anything to do with me; as long as the money is coming in, that is all they want. Her mother is the one who is against me.

Q.- Have you heard that other people also heard remarks made by her mother?

A.- It is generally known and the subject of gossip in the community that my wife will have nothing to do with me, and it has come back to me from so many people and sources that you could not mention them all, and this has been very detrimental to me. It really hurt me to think that my wife has done all that I have heard.

BY JOHN COLLINS, MASTER:

Q.- Have you been arrested for the support of this child?

A.- No sir.

Q.- Is the child with your wife?

A.- Yes, the baby is staying with her, but actually her mother is taking care of it because my wife goes to school.

BY MR. KELLEY, Plaintiffs' Attorney:

Q.- Do you ever take the baby to your home?

A.- I asked if I could take the baby to my place on Sunday, and my wife said I could, and when I went to get him at the time she told me to come, there was no one at home; they had all gone out some place. I was only home for fifteen days and could not take the baby home once; it affected me very much not to be able to take my own son home once.

BY THE MASTER:

Q.- How did this treatment affect you?

A.- When I found out all this back home, I was worried about it. I just could not do my job; I was always thinking about it, I could not sleep, I could not eat, and when I came back home I was treated like dirt. I did everything I could; I married the girl and gave the baby a name. I asked her many times to come and live with me, but her mother was against it; she told her what it would be like living with me. I joined the Air Force to be able to support my wife and child. I got the allotment for her and the baby; she gets \$117.10 for the baby and herself every month. As she told me personally that she wants nothing to do with me, and she would not talk to me, it is all over.

Walter Butler, witness on behalf of the Plaintiff, testifies as follows:

BY MR. KELLEY:

Q.- What is your name?

A.- Walter Butler.

Q.- Where do you live?

A.- In Osceola Mills.

Q.- Do you know both the Plaintiff and the Defendant in this action in Divorce?

A.- I know Bill very well, and I know Linda since Bill married her.

Q.- Have you seen Linda from time to time?

A.- I have seen her out with different guys on different occasions; always in the evening, in cars or at dances, flirting with boys. The last time I saw her was in Philipsburg one night in a 1951 Chevvy with four or five boys in it; she stood by the car, talking to them, and then we seen her getting in the car and shutting the door.

Q.- Did you ever talk to her about her associates?

A.- Yes I told her to slow down, that Bill was a nice kid, and she should not run around with other guys. She called me all kinds of names, and said "What's the matter, are you jealous?" I told Bill about it.

Q.- How many times did you see her out at night?

A.- A half to one dozen times, with the Peltons, the Kephart twins and the Winters. I talked to another guy, Bucky Domac, a married man who was not living with his wife, and he said he had sexual intercourse with Linda after she was married.

Q.- Did you tell her husband?

A.- Yes I told him, and he was hurt; it brought tears to his eyes, and made him nervous.

Q.- Did you ever see her with anyone else?

A.- One night I walked in a restaurant and a fellow named Bryan was talking on the telephone, and he was making a date to go out with Linda Simcox and another girl, and he wanted me to go along; I said I was not going, and left. About a half hour later she went by in a car with Dave Bryan.

BY THE MASTER:

Q.- What was the man's name who told you he had sexual relations with the Defendant?

A.- Bucky Domac.

Q.- How old are you?

A.- 18.

Q.- Did this man say when he was with the Defendant?

A.- It was some time in March, 1961.

Mary Lou Taylor, witness on behalf of the Plaintiff, testifies as follows:

BY MR. KELLEY:

Q.- What is your name?

A.- Mary Lou Taylor.

Q.- And where do you live?

A.- In Chester Hill.

Q.- Have you known Linda and Bill a long time?

A.- I grew up with Linda, and I have known Bill ever since him

and Linda went together. I remember the day they were married.

Q.- After Linda's husband went away did you have a chance to talk to her?

A.- Yes, after he went away she came to my home a lot, and she acted, well, like she didn't care for him.

Q.- Did she tell you she did not care for her husband?

A.- She told me she did not love him; that after she found out she was pregnant she did not love him; she said she did not want to have anything to do with him, and that the only reason she married Bill was to give the baby a name. She talked about it a lot in school, and that word got back to Bill.

Q.- Did you tell Linda's husband how she talked about him in school?

A.- Yes I told him what I knew; we are good friends.

Q.- What effect did that have on him?

A.- He felt very badly about it, because he loved Linda and wanted her to go to the Camp with him but she would not go; she went back to school. Bill was humiliated; he did not want to believe the things he heard, but it was common gossip in the community.

Peter Watro, witness on behalf of the Plaintiff, testifies as follows:

BY MR. KELLEY:

Q.- What is your name?

A.- Peter Watro

Q.- Do you know both the Plaintiff and the Defendant in this action in Divorce?

A.- Yes, the Plaintiff, William Watro, is my son, and of course I know his wife.

Q.- Tell us what you know about their marital difficulties?

A.- I was sitting at home one day about three months ago, when Bill walked in; he said Linda was running around with other boys; he said it is true. We treated her nice, her and the baby, but her mother was again the marriage all along. and we wanted to see them make a go of the marriage. He even joined the Army just to be able to keep her and the baby, to make it go, but she will have nothing to do with him.

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IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENN'A.  
NO. 94, NOVEMBER TERM, 1961

WILLIAM WATRO (a Minor)  
by his father and Natural  
Guardian, PETER WATRO,  
Plaintiffs

VERSUS

LINDA LEE WATRO (a Minor)  
and RICHARD SIMCOX, Guard-  
ian ad Litem, Defendants

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(An uncontested case)

MASTER'S REPORT.

Costs:

John Scollins, Esq., \$85.00  
Master's Fee, .. \$85.00  
Robert Showers,  
Constable's costs 5.00

**FILED** \$90.00  
A/R - 3 1962  
CAROLYN SCOLLINS  
PROBATIONARY LAW  
HOUTZDAL, PA.

*Now April 2, 1962 des not accepted and whole  
of him waived.  
Kelleys, Johnston & Co.*