

DOCKET NO. 173

NUMBER

TERM

YEAR

108

February

1961

Grace Olive Stiner

VERSUS

Lyle Orgis Stiner

Clearfield County, ss:

The Commonwealth of Pennsylvania, to

Carl A. Belin, 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

Grace Olive Stiner Plaintiff ,
and

Lyle Orvis Stiner 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 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
19th day of April , 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.





COMMISSIONER.

No. 108 February Term. 1961

GRACE OLIVE STINER

VERSUS

LYLE ORVIS STINER

COMMISSION

Bell, Silberblatt &
Swoope
Attorney.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GRACE OLIVE STINER

:

vs

: No. 108 February Term, 1961

LYLE ORVIS STINER

:

DOCKET ENTRIES

FEBRUARY 20, 1961, COMPLAINT IN DIVORCE filed. One copy certified to the Sheriff.

April 19, 1961, Sheriff's Return filed: NOW, March 13, 1961 at 11:40 o'clock A.M. served the within Complaint in Divorce on Lyle Orvis Stiner at place of residence R. D. Morrisdale, Pa. by handing to him personally a true and attested copy of the original Complaint in Divorce and made known to him the contents thereof. So answers, Charles G. Ammerman, Sheriff.

April 18, 1961, By motion on the Watch Book, Carl A. Belin, Esquire, is appointed Master to take testimony and report same with form of Decree.

Certified from the record this 19th day of April, A. D. 1961.

John J. Slattery
Prothonotary.

Grace Olive Stiner
Plaintiff
vs.
Lyle Orvis Stiner
Defendant

In the Court of Common Pleas,
of Clearfield County, Pennsylvania,
No. 108 Feb Term 1961

Complaint in Divorce

- 1 (a) The name of the plaintiff is Grace Olive Stiner.
- (b) The name of the defendant is Lyle Orvis Stiner.
- 2 The plaintiff resides at 221 Nichols Street, Clearfield, Pennsylvania.
- 3 (a) The defendant is a citizen of the United States
and was last known to reside at R. D., Morrisdale, Pennsylvania. ~~(b) By reason of the want of knowledge as to the whereabouts and last known address of said defendant~~
- 4 The plaintiff has resided in the Commonwealth of Pennsylvania for 30 years, and has been a bona fide resident of Clearfield years County, Pennsylvania for at least 30 years past.
- 5 The plaintiff and defendant were married on Dec. 20, 1948, at Winchester, Virginia, by Reverend Roy Smucker, a Methodist Minister.
- 6 The defendant has:

~~(a) By reason of the want of knowledge as to the whereabouts and last known address of said defendant~~

~~(b) Offered such indignities to the person of the plaintiff who is the injured and innocent spouse, as to render her condition intolerable and her life burdensome.~~

~~(c) Committed with willful malicious exertion, 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,~~

~~(d) Committed adultery.~~
- 7 That the plaintiff and defendant have entered into no collusive arrangement regarding this action.
- 8 That neither of the parties, plaintiff or defendant, has ever applied in this or any other court for a divorce from the other party to the action, or for annulment of marriage. (If so, state when and in what court and place, and to what number and term the action was brought, and the result of such action.)
- 9 There were 3 children born to this marriage, namely; Dennis Lee Stiner, born on April 20, 1950; Ida Mae Stiner, born September 13, 1953; Robert Lyle Stiner, born May 27, 1958. The three-mentioned children reside with the Plaintiff.

WHEREFORE, plaintiff respectfully prays that a decree of this Honorable Court may be made for the divorcing and separating of the said Lyle Orvis Stiner, 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 prays for a Decree in divorce a vinculo matrimonii. BELL, SILBERBLATT & SWOOP

Commonwealth of Pennsylvania,
County of Clearfield } ss.

by M. L. Silberblatt 

(Atty. for Plaintiff)

Grace Olive Stiner Personally appeared before me, a Notary Public, in and for said county, 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

20th day of Feb, A.D. 1961
John T. Nagerty 

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

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In the Court of Common Pleas of

Clearfield County, Pennsylvania
No. 108, Feb Term, 1961

Grace Olive Stiner

Lyle Orvis Stiner

Complaint in Divorce

To Lyle Orvis Stiner

Defendant

FEV. 20 1961

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

S. M. L. Hellmuth

Plaintiff's Attorney

Address _____ Clearfield, Penna.

H. S. Allen

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

Grace Olive Stiner
vs
Lyle Orvis Stiner

NoI08 Feb Term 1961.

Complaint in Divorce.

Now, March 13, 1961 at 11:40 O'Clock A.M. served the within
complaint in Divorce on Lyle Orvis Stimer at Place of residence
R.D. Morrisdale, Pa. by handing to him personally a true and Attested
copy of the original Complaint in Divorce and made known to him
the contents thereof,

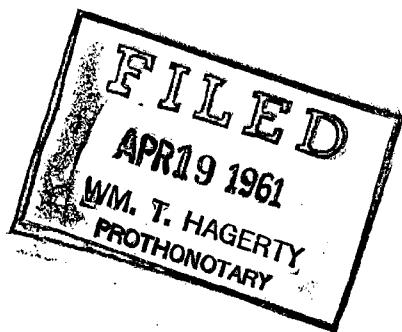
Costs: \$14.00 Sheriff Ammerman.
(Paid by Attys B.S.S.)

So Answers,

Charles G. Ammerman
Charles G. Ammerman
Sheriff.

Sworn to before me this 13th
day of March, A.D. 1961.

John J. Nagerty
Prothonotary.



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GRACE OLIVE STINER

VS. : No. 108 February Term, 1961

LYLE ORVIS STINER : In Divorce

RETURN OF SERVICE OF NOTICE OF
MASTER'S HEARING

State of Pennsylvania : SS:
County of Clearfield : 1

Before me, William T. Hagerty, Prothonotary, in and for the County of Clearfield, personally appeared J. B. WALKER, who being duly sworn according to law, deposes and states that he is a Constable for the Second Ward of the Borough of Clearfield, Clearfield County, Pennsylvania, and that he did serve Lyle Orvis Stiner, with a true and attested copy of the Notice of Master's Hearing on April 21, 1961, at 10:30 A.M., at his residence, on Deer Creek Road, Morrisdale, R. D., Clearfield County, Pennsylvania, by personally handing the same to him and leaving it with him and making known to him the contents thereof. The said Lyle Orvis Stiner, is personally known to the Affiant herein.

So answers, () B. Walker
(S) Constable

Sworn and subscribed to before me the 2nd day of April,
1961.

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1952

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GRACE OLIVE STINER

VS.

LYLE ORVIS STINER

No. 108 February Term, 1961

IN DIVORCE

NOTICE OF MASTER'S HEARING

TO: Lyle Orvis Stiner
R. D., Morrisdale, Pennsylvania

You are hereby notified that I have been appointed Master in the divorce action of Grace Olive Stiner vs. Lyle Orvis Stiner in the Court of Common Pleas of Clearfield, Pennsylvania, at No. 108 February Term, 1961, and that I will hold a meeting for the purpose of taking testimony in said case at my office at 115 East Locust Street, Clearfield, Pennsylvania, on Monday, May 15, 1961, at 10:00 A.M., D.S.T., when and where you may attend with witnesses if you so desire.

Carl A. Belin
Carl A. Belin, Master

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GRACE OLIVE STINER

VS.

LYLE ORVIS STINER

No. 108 February Term,
1961 IN DIVORCE

NOTICE OF MASTER'S HEARING

TO: Grace Olive Stiner, Plaintiff
Morris L. Silberblatt,
Attorney for Plaintiff
Clearfield, Pennsylvania

You are hereby notified that I have been appointed Master in the divorce action of Grace Olive Stiner vs. Lyle Orvis Stiner in the Court of Common Pleas of Clearfield, Pennsylvania, at No. 108 February Term, 1961, and that I will hold a meeting for the purpose of taking testimony in said case at my office at 115 East Locust Street, Clearfield, Pennsylvania, on Monday, May 15, 1961, at 10:00 A.M., D.S.T., when and where you may attend with witnesses if you so desire.

Carl A. Belin
Carl A. Belin, Master

NOW, this 20th day of April, 1961, service of the above notice is hereby accepted.

Grace Olive Stiner
Grace Olive Stiner, Plaintiff

NOW, this 20th day of April, 1961, service of the above notice is hereby accepted.

M. L. Silberblatt
M. L. Silberblatt, Attorney
for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GRACE OLIVE STINER

-vs-

LYLE ORVIS STINER

No. 108 February Term, 1961

IN DIVORCE

MASTER'S HEARING

Master's Hearing in Divorce held before the Master on the 15th day of May, 1961, at 10:00 o'clock A.M., D.S.T. at the office of Carl A. Belin, Esquire, 115 East Locust Street, Clearfield, Pennsylvania, in accordance with the notice of Master's Hearing. The following persons appeared at that time:

Appearances: GRACE OLIVE STINER Plaintiff

BETTY LENORA HAMILTON Plaintiff's Witness

M. L. SILBERBLATT Plaintiff's Counsel

The Defendant, Lyle Orvis Stiner, did not appear either in person or by counsel and no witnesses were present on behalf of the Defendant.

GRACE OLIVE STINER being duly sworn according to law testifies as follows:

BY M. L. SILBERBLATT, ESQ.:

Q. Are you Grace Olive Stiner?

A. Yes I am.

Q. Were you married to Lyle Orvis Stiner?

A. Yes I was.

Q. When were you married to him?

A. December 20, 1948.

Q. Where were you married?

A. Winchester, Virginia.

Q. Who married you?

A. Reverend Smucker

Q. Of what denomination was he?

A. Protestant.

Q. Do you know whether he was Methodist or Baptist?

A. Methodist.

Q. At the time of your marriage, where did you live?

A. From the beginning, do you mean?

Q. No, at the time you were married?

A. We lived at Plymtonville in Lawrence Township.

Q. What was the residence of your husband at the time of your marriage?

A. LeContes Mills.

Q. After your marriage, where did you go to live?

A. We went to housekeeping in Clearfield County.

Q. What town?

A. Clearfield.

Q. Was it in the Borough?

A. That is right.

Q. How long did you live in the Borough?

A. All of our married lives--10 years.

Q. You lived in the Borough all your married live?

A. That is right.

Q. That is you lived in the Borough up till your separation?

A. That is right.

Q. Where do you live at the present time?

A. 221 Nichols Street, Clearfield, Pennsylvania.

Q. Where does your husband live at the present time?

A. As far as I know, he lives in Morrisdale.

Q. Were you born and raised in Clearfield County?

A. That is right.

Q. Do you know whether your husband was born and raised in Clearfield County?

A. Yes he was.

Q. Are you a citizen of the United States?

A. Yes I am.

Q. Are you a citizen of the State of Pennsylvania?

A. Yes.

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

A. Yes.

Q. And is he a citizen of the State of Pennsylvania?

A. Yes.

Q. What is your age?

A. 30.

Q. What is your occupation?

A. I am employed by the Clear-Don Manufacturing Company, as an inspector.

Q. What is the age of your husband?

A. 41.

Q. What is his occupation?

A. Mechanic.

Q. Were there any children born to this marriage?

A. Yes there was---3.

Q. What are the names of the children?

A. Dennis Lee Stiner.

Q. He is a boy, is that right?

A. Yes.

Q. When was he born?

A. April 20, 1950.

Q. What is the name of the next one?

A. Ida Mae Stiner.

Q. When was she born?

A. September 13, 1953.

Q. And what is the name of the third one?

A. Robert Lyle Stiner.

Q. And he is a boy, is that right?

A. Yes.

Q. When was he born?

A. May 27, 1958.

Q. Where are these three children at the present time?

A. With me.

Q. Are you living by yourself or with someone else?

A. By myself.

Q. Is your husband in the Military Service of the United States?

A. No.

Q. Was he ever in the service?

A. No.

Q. And you say he isn't in the service at the present time?

A. No, he isn't.

Q. Did you or your husband, before this time, ever apply for a divorce?

A. No we haven't.

Q. You testified you were married December 20, 1948. After your marriage did you get along alright for any period of time?

A. For about six months, then he started drinking, and it got worse as days went by, and I worked all my married life, and the money I got, he took for his drink and new car. He always had a new car. It was right after that, that I learned he started stepping out on me. I have found out more even in the last two weeks about how many different girls he has been out with. He would come home drinking, even if it was 3 o'clock in the morning, and I had to get up at 7 o'clock, I still would have to get up and get his supper. He never stayed home with me and the children. After he started to work, his drinking got worse, because he was making money that he could buy his drink with.

Q. You testified that for about six months you got along pretty fair?

A. Yes, I didn't realize the facts of life, and when he was out drinking all the time, and when he wouldn't come home, just like any other wife, I was in love and didn't care.

Q. As time went on, did he drink more or less?

A. More.

Q. When he was sober did he treat you the same as when he was drunk?

A. About the same. I recall one day he came in and was drunk,

and I had the coffee pot setting there, and he took the coffee pot and threw it, and it hit me on the leg and busted my leg open. I can show you the mark, and when I had baby-sitters in, he would try to get smart with the baby-sitters. I could never keep a baby-sitter.

BY CARL A. BELIN, MASTER:

Q. What do you mean by "getting smart"?

A. He would ask them into the bedroom and try to love them. He wouldn't go to work until about 8, 9 or 10 o'clock, when he did work, and he was suppose to leave an hour after me. I couldn't keep a baby-sitter, mostly they would stay for about 3 months.

BY M. L. SILBERBLATT, ESQ:

Q. You say you did work after your marriage?

A. That is right.

Q. Why?

A. Because he didn't make enough money to support us, and what he did make, he would drink up.

Q. What else would he do?

A. He would always try to be sexual, and he didn't care about sex, he took advantage of you no matter how tired you were, and it caused me to have inward trouble, and had to have three operations.

Q. Was he abusive in his sexual relationship?

A. Yes he was. He was so big, and the doctor told me I was too small to have a husband so big.

Q. You had three operations, is that right?

A. Yes.

Q. Who were your doctors?

A. Dr. Yingling operated three times.

Q. Did you ever talk to your husband about this?

A. Yes, and he said that I was his wife, and he would have his sex whenever he wanted it.

Q. And that continued throughout your married life?

A. Yes it did.

Q. Did he ever abuse you?

A. He was always beating me, and I would have to go to work every day with black eyes and bruise marks on me, and always had to face the girls at the plant. Lots of times he would throw me

from one side of the kitchen to the other side. He thought I should have meals ready when he came home, and he wouldn't give me time to get the food from the refrigerator and get it warmed. If everything wasn't spotless clean he would bust the window frame. It kept getting worse, and I did leave him. When I left him, he came over to my apartment and busted windows out, and the landlord told me I would have to get out or make him stay away, and I rented from Bernice Woods at the time, and he came right in the apartment and tried to get smart, and I called the cops, and they told him he would have to stay off the property, and that was the only time he came to see me.

Q. Was he a man who liked to work?

A. No, he hates work.

Q. What happened about work?

A. He would tell me he was going to work, and wouldn't go. Slim Narehood offered him an advantage and gave him a good job. One day he got mad at Slim and threw something and broke the glass out of the window, and Slim told him he would have to settle down and quit his drinking. Slim wouldn't pay him all his pay on Friday nights, because he knew if he did that Lyle would go out and get drunk and would not come out to work on Saturdays, so he would give him so much on Friday nights, and lots of times, Slim would bring the rest of the money to me, because he knew Lyle would drink it up.

Q. At home how often would he call you nice names?

A. He never called me by my right name, Grace, it was always a son-of-a-bitch, a whore, just about anything he could lay his tongue to, he never called me by my right name. I always had to have the car in my name, because he would never pay for them, and one night this John Hess came with him and he wanted to take our car out. I told him he was not getting the car. He said he was so taking the car and went to get the keys, and pushed me, and I told him that he had better get out of there, and he started calling me a whore and a son-of-a-bitch, and my husband was standing there, and he said, "Go ahead and slap her." "If you want the car take the keys, it was my money that paid for it."

Q. Did he ever try to talk to your boss?

A. He called Mr. Stock, and he told him, "If you don't fire her, I am going to raid the place and throw everybody out of the factory", and Mr. Stock said, "I couldn't let her go, she is one of my best workers", and my husband said, "I am just telling you, you had better get her out of there, or I will raid the place."

Q. Was your husband a man who would go to work on time?

A. No, he would tell them he would be there at 7 or 8 o'clock, and he would never show up, until 12 or 1 o'clock, just when ever he decided to go in.

Q. Did he stay home a great deal of the time?

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

GRACE OLIVE STINER
vs-
LYLE ORVIS STINER

No. 108 February Term, 1961
IN DIVORCE

MASTER'S REPORT

SCHEDULE: February 20, 1961, the Complaint in Divorce was filed, and the same was served on Lyle Orvis Stiner on March 13, 1961, by the Sheriff of Clearfield County, Charles G. Ammerman. Proof of service is hereto attached. The Master was appointed on the 18th day of April, 1961. The Master's Hearing was fixed for Monday, May 15, 1961 at 10:00 A.M., D.S.T. The Notice of Master's Hearing was accepted by M. L. Silberblatt, Attorney for Plaintiff, Grace Olive Stiner, and the plaintiff personally accepted Notice of the Master's Hearing. The Notice of Master's Hearing was served on the defendant, Lyle Orvis Stiner, personally by J. B. Walker, Constable of Clearfield, Pennsylvania, and he personally handed a true and correct copy of the Notice to Lyle Orvis Stiner at his residence, on Deer Creek Road, Morrisdale, R.D., Clearfield County, Pennsylvania. Proof of services are attached hereto. The Master's Hearing convened on Monday, May 15, 1961 at 10:00 A.M., D.S.T. at which time the following persons appeared: M. L. Silberblatt, attorney for the Plaintiff; the Plaintiff, Grace Olive Stiner; and the Plaintiff's witness, Betty Lenora Hamilton. The defendant, Lyle Orvis Stiner, did not appear in person or by counsel, nor did any witness appear for him.

CAUSE FOR DIVORCE: Indignities.

FINDINGS OF FACT:

1. Marriage - The Plaintiff, Grace Olive Stiner, and the Defendant, Lyle Orvis Stiner, were married on December 20, 1948

at Winchester, Virginia by Reverend Roy Smucker, a Methodist Minister.

2. Residence - After their marriage, the Plaintiff, Grace Olive Stiner, and the Defendant, Lyle Orvis Stiner, lived in the Borough of Clearfield, Clearfield County, Pennsylvania, where they lived together as husband and wife until December, 1958. The Plaintiff's present address is 221 Nichols Street, Clearfield, Pennsylvania, and the defendant's present address as far as is known, is Morrisdale, R. D., Pennsylvania.

3. Citizenship - The Plaintiff, Grace Olive Stiner, is a citizen of the United States and Pennsylvania, and has been a resident of Clearfield County all her life. The Defendant, Lyle Orvis Stiner, is a citizen of the United States, and has been a resident of Clearfield County all his life.

4. Age and Occupation - The Plaintiff, Grace Olive Stiner, is thirty years of age, and is employed by the Clear-Don Manufacturing Company, Clearfield, Pennsylvania. The Defendant, Lyle Orvis Stiner, is forty-one years of age, and is a mechanic.

5. Children - There were three (3) children born to this marriage, namely; Dennis Lee Stiner, born on April 20, 1950; Ida Mae Stiner, born September 13, 1953; Robert Lyle Stiner, born May 27, 1958. The three-mentioned children reside with the Plaintiff.

6. Military Service - The Master finds as a fact that the Defendant, Lyle Orvis Stiner, is not a member of any branch of the Armed Forces of the United States of America at the time this divorce action was commenced, nor at the time the Master's Hearing was held.

7. Findings on the Merits - Grace Olive Stiner and Lyle Orvis Stiner were married December 20, 1948, and lived in Clearfield Borough as husband and wife until December, 1958. The defendant, Lyle Orvis Stiner is now living in Morrisdale with another woman, and the plaintiff, Grace Olive Stiner is still living at home. There were three (3) children born to this marriage, and the plaintiff wife has been working at Clear-Don Manufacturing Company and supporting the children. She has a court order against the defendant, Lyle Orvis Stiner, but he never has paid on said court order.

About six (6) months after their marriage, he started drinking and started running around with other girls, and even if he came home at 3:00 in the morning, the wife would have to get up and cook supper for him. As time went on, he drank more and more, and when she would go into the saloons and try to get him home, he would slap her. One time he threw a coffee pot at her and busted her leg open, and she showed the mark at the hearing.

When she would have baby-sitters, he would try to get the baby-sitters into the bedroom and love them. Due to his sexual abuse of her, she has had three (3) operations, and both Doctor Yingling and Doctor Hughes advised her that she should leave her husband for her own health. He was always beating her and she would go to work with black eyes and bruise marks on her, and he would throw her from one side of the kitchen to the other, and would throw knives and forks at her. He never called her by her name, Grace, he always called her a "son-of-a-bitch" or a "whore". He was never home, and for periods of six (6) months, he was never home on evenings, and when she would go to the taverns and try to get him home, he would slap her and

tell her to get the hell out of there. He was always embarrassing her in front of people.

She was informed by different people that he was living with a woman in Morrisdale whose name was Faye Coudrikt, she was Faye Kramer, who left her husband and children, and they have lived together for about 2½ years. He would come home with lipstick on his shirt and protectors in his pocket, and even in front of her own family he would call her a "whore" or a "son-of-a-bitch" or anything his tongue could lay on.

His conduct not only affected the nerves of the wife, but also the nerves of the three (3) children. When he came home when he was drinking, he would throw knives, forks and whatever he could his hands on. He was always smashing furniture.

It showed that the husband was carrying out a plan of steady neglect of his wife, and showed that he had settled hate for her. The plaintiff, Grace Olive Stiner, had always tried to provide a good home for herself and her three children, and she worked to support her children, and did not give any cause for her husband to treat her in such manner, and she is the injured and innocent spouse.

The Master finds that the facts he has reviewed are true, and that the plaintiff, who was accompanied by a baby-sitter, Betty Lenora Hamilton, are credible witnesses. He further finds that the facts found by the Master do establish that the defendant has offered such indignities to the person of the plaintiff, Grace Olive Stiner, and the plaintiff, Grace Olive Stiner, is the injured and innocent spouse, and said indignities did render her condition intolerable and her life burdensome, and entitles her to divorce, and that said indignities did cause her condition to be intolerable and life burdensome.

8. Discussion - This case presents a simple question of law, as to whether the facts constitutes indignities, and the Master finds that the facts we have reviewed and have found to be true, do constitute indignities.

CONCLUSIONS OF LAW:

(a). That the Court had jurisdiction over the defendant by personal service by Charles G. Ammerman, Sheriff, Clearfield, Pennsylvania.

(b). That the Court had jurisdiction over the subject matter of the parties as the plaintiff and defendant were residents of Clearfield County continuously for over two (2) years prior to the filing of the Complaint.

(c). That the Master had jurisdiction over the parties by having a constable, John B. Walker, of Clearfield, Pennsylvania personally serve the defendant, and by having service accepted by the attorney for the plaintiff and by the plaintiff herself.

(d). The Master finds the defendant, Lyle Orvis Stiner, guilty of offering such indignities to the plaintiff, Grace Olive Stiner, who is the injured and innocent spouse, and did render her condition intolerable and life burdensome.

RECOMMENDATION - The Master does recommend that a Decree of Divorce "a vinculo matrimonii" or absolute divorce be granted to Grace Olive Stiner, the plaintiff, from Lyle Orvis Stiner, the defendant.

Carl A. Belm
MASTER

A. He was never home. For a period of six months, he was never home one evening with me.

Q. Where would he go?

A. Marino's, Victory Tavern, Spingola's, any beer garden in town. He knew I wouldn't go in after him. Lots of times I would go in the taverns and beg him to go home. He would slap me and tell me to get the hell out of there and call me all kinds of names, and he was always embarrassing me in front of other people.

Q. Did you ever see him with another woman?

A. I have seen him sitting with women, but never alone.

Q. Where did you get your information that he was out with other women?

A. Lots of people seen him, and he is living with a woman now in Morrisdale, I think her name is Faye Coudrict she was Faye Kramer, who left her husband and children, and they have lived together for about $2\frac{1}{2}$ years.

Q. Did different people often tell you that your husband was running around with women?

A. Yes, everybody, but I didn't believe it, because I wanted to make the best of my marriage. I took the marriage vows, and wanted to make the best of it.

Q. When people told you that he was running around with other women, how did it affect you?

A. It made me nervous, and I would cry, and I had to go to the doctor.

Q. Were you told this by one person or many?

A. Many.

Q. Did you ask your husband about it?

A. Yes, and he would deny it. All the time I knew he was going with someone, because he never used any protection on me, and when he would come in, I would find it in his pockets. Doctor Yingling and Doctor Hughes told me I should get away from him, because he was ruining my life.

Q. Did you ever find red lipstick on his shirt?

A. Many times I found lipstick on his shirt. For years I kept one shirt that had lipstick on it, and at the time I didn't wear lipstick, and he would say that someone just put that on him so I could see it, and so it would make me mad.

Q. Did you find lipstick on his shirt often or just once in a while?

A. Many times.

Q. State whether or not he called you names in the presence of other people?

A. Yes, he called me names in front of many people, and even in front of my own family he would call me a whore or a son-of-a-bitch, or anything he could lay his tongue to.

Q. Did he call you names often or just once in a while?

A. Often, he never called me nice names.

Q. You said he tried to get you fired, by whom?

A. Mr. Stock, manager.

Q. Of what plant?

A. Clear-Don Manufacturing Company.

Q. And what did he tell Mr. Stock?

A. That he would have to fire me or he would raid the place. Mr. Stock Said, "I wouldn't fire that girl, she is one of our best workers, and she is in the union. If you think you can raid the place or not, I wouldn't fire her. I think we have enough law in Clearfield that maybe we can raid you." In the next day or so, Mr. Stock told me. He said, "I have news for you, I don't know whether it is good or bad. Your husband called here and told me to fire you." He told me with his own mouth, what Lyle said.

Q. When he had money, what would he do with this money?

A. He would go drink. Sometimes he would give me \$60.00 a month, and that was for his car payment.

Q. He gave you \$60.00 a month to pay for his car?

A. Yes, and if I didn't pay that on his car, he would give me a beating for not paying it on his car. One time he stopped making his payments, and Fred Diehl took the car, and he told him that when he went back to me he would get the car back, and if he did not go back to me the car would stay where it was. Lyle told him that we were going back together, and Fred called me, and I told him that I was not going back with Lyle now or never, and he said Lyle would not get the car back.

Q. Did you have to do the work around the house?

A. Yes, I would go home from work and from 4 o'clock in the evening, until 10 or 11 o'clock at night I would work. He never worked around the house. He smashed the furniture and would just to things like that.

Q. Did he often stay away from work entirely?

A. Yes, he would tell them he would be out, and for a couple of days never go to work, and he would tell me he was going to

work and until I went with him, he never showed up at work, and his boss asked me a couple of times to see that he got there, and I had to take him right to the job. He never came home at meal time to eat his meals. The children and I always ate alone. When he would come home, it would be cold, and he would get me up in the middle of the night or morning, and make me get his supper.

Q. Most of the money he had, what did you say he spent it for?

A. Girls and drink.

Q. Did he buy much food for the home?

A. I bought all the groceries. I think you could ask them at the Quaker Market or A & P, because I always went to one of the two places and got my check cashed, and they know me personally, and bought the groceries.

Q. Would you have food in the home if it wasn't for you working?

A. No, he never gives me anything to get food with, and we probably would have to go on relief. The state is keeping me now, what I don't work. Since we separated in 1959, I know he hasn't given me \$600.00, and he always claims the children on his income tax every year.

Q. Did he ever pay the rent?

A. No, he never paid any rent. All the rent receipts are under my name, and my landlord told me after I left the house, that if I wouldn't go back to the house, that he was going to put Lyle out, because he had women in there all the time, and a whore house made out of it, and that he did not want anything like that in his neighborhood, and when I went back, that is when he left.

Q. How did this affect the children?

A. They were very nervous and worked-up. Last April Doctor Leitzinger told me my son who is 11, has been better than he has seen him for a couple years. That he is not nervous, and is getting along much better.

Q. Did your husband ever make any acquisition against you about going out with other men?

A. Yes, he was always saying I was here or there with someone, and he was never home to see that I was home. One time I was going to call about an apartment, and I put the telephone number in my purse. He went to my girl friend's mother and told her that he found this telephone number, and that I was going out with some guy. It came to see that the guy was seventy some years old, and had an apartment for rent, and he told my girl friend's mother that he knew him, and that I was running around with him, and he took his gun with him that night to kill that fellow.

Q. Did he ever do anything to the car?

A. When I lived over the Bernice Sercola appartments, he came over a couple of nights and fixed my car so it wouldn't run, and got the town cop to come with him so he could see my daughter, he never cared for his son, but wanted to see our daughter, and he told the cop to come with him, and I told him that he better fix that car so that it would run, and he said he never done anything to the car. I told him to go down and start it then. He went down and lifted the hood and put some wires together, and the car started. The cop asked him what he did to the car, and he said he didn't do anything to it, and the cop said, "If I were her, I would never let you see the children."

Q. You testified that he threw a coffee pot and struck you on the leg?

A. Yes.

Q. That was your left leg, and you can still see the mark?

A. Yes.

Q. Did it hurt you at the time?

A. For a few days, I could hardly walk on it. I would have had to take off work, but it so happened that I didn't have to be on my feet, or I would have had to miss a couple of days. I sent into the insurance company, and the insurance company took care of the doctor bills. It was the insurance company for the plant which takes care of any injuries or ailments.

Q. You testified that he often threw things at you?

A. Yes, he was always throwing knives, forks, whatever he could get in his hands, and if it hit you in the face, you got it in the face, he didn't care.

Q. You also say he broke furniture in the house?

A. He was always smashing furniture. I did not have anything when I lived with him. He would slam the refrigerator door and cabinets. I have things much nicer now.

Q. You testified that he was abusive in his sexual life?

A. Yes, he was a brute .

Q. Did he ever use force on you?

A. It was just one of those things, I never cared for, after he was always forcing it on me. After the second operation, Doctor Yingling told me that I shouldn't have intercourse for two months or more. He said he would take it when he wanted it, and I had the one operation in April, and in October, I had to be cut open again.

Q. You went to the hospital three times?

A. That is for an operation. I was in and out a few other times.

Q. When was the first time?

A. It was the year the bad flu was around, I guess it was in 1955, and the other one was in 1957, and again in 1957, because when he threw me and tried to force....

Q. Did you ever leave him?

A. When I left him I made it for good. I told him and warned him for years, if he didn't straighten out, that I would leave and stay. Before my last baby was born, I did leave, then I came back.

Q. Since you lived with him from December 20, 1948, how did all this affect you?

A. It made me nervous and irritable all the time. Even when decent people come to see me, I would snap them off, and even snap my family off. I would lay and cry at night, and wonder why things like this had to happen to me, when I tried to make the most of my marriage.

Q. Did you go to the doctor?

A. Yes, I went to the doctor, and he gave me nerve pills.

Q. Did you tell the doctor what was bothering you?

A. Yes, I told him, and he said, "If you don't get away from him, you will be a nervous wreck."

Q. Did the doctor tell you to leave him?

A. Yes, he said, "It is very seldom I tell a person this, but your best bet is to leave this guy, because if you don't, you will be clean down in yourself."

Q. What doctor did you have?

A. Doctor Hughes, physical and Doctor Yingling, surgery.

Q. Did Doctor Hughes tell you to leave him also?

A. Yes, Doctor Hughes told me that he would get away, because he was too much of a man for me.

Q. Did you say you did everything you could to make your married life a happy one?

A. I did.

Q. You also worked in order to keep the family together?

A. I did.

Q. Was it possible for you to live with your husband the way he treated you?

A. No, I couldn't live with him any longer, because I would have been clean down, and what would happen to the children.. I was a nervous wreck and I haven't got over it yet, but the children have. I am afraid of him, because he told me he would kill me, and he said if I got a divorce he would catch me out and him and the girl he lives with, would beat me.

Q. Have you ever applied for a divorce?

A. No, I haven't.

Q. Have you talked with him lately?

A. I haven't talked to him for a long time, that is to talk to have a conversation with him, and he told me if I ever started to apply for a divorce, he said he would kill me.

Q. Does he ever come around to see you?

A. No, he never comes to see me, but he comes to see the children. I let him see the children, because they love him, and he comes up at least once in six months to see them.

Q. Only once in six months?

A. Yes, that is right. He came to see them last May, and then didn't come again until December, and then it was just about four weeks ago he came up to see them again.

Q. Does he say anything to you?

A. No, he doesn't say anything to me.

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

A. No, there isn't.

Q. Are you paying for the divorce?

A. Yes I am.

BY CARL A. BELIN, MASTER:

Q. When was the last time you lived with your husband?

A. December, 1958.

Q. Have you ever lived with him since?

A. No I haven't.

Q. Did you give him any cause to treat you this way?

A. No I didn't.

Q. Was you a good dutiful wife at all times?

A. Yes I was.

Q. These actions of your husband that you state, did they get on your nerves?

A. Yes, I was very nervous.

Q. Did it make your condition intolerable and life burdensome to live with him?

A. Yes.

BY M. L. SILBERBLATT, ESQ.:

Q. Could you have stood this treatment any longer than you did?

A. No I couldn't.

BETTY LENORA HAMILTON, being duly sworn according to law testifies as follows:

BY M. L. SILBERBLATT, ESQ.:

Q. Is your name Betty Lenora Hamilton?

A. Yes.

Q. Are you married to the brother of Grace Olive Stiner?

A. Yes.

Q. Have you had an occasion to be with Grace through the last few years?

A. Before I was married I went to stay with her.

Q. At her home?

A. Yes, at her home.

Q. You heard Grace testify that she couldn't keep a baby-sitter, because her husband made advances when they were at her place, did that happen to you?

A. Yes, in the morning after she would leave for work, he would stay there for two or three hours, and he would always try to love me up, and I would always try to get away, and wouldn't let him do it, because I was engaged and in love with my fiance, and I didn't have any time for a married man, and he would want me to go to bed with him, so I left there, because I wouldn't stay in a house like that. I wasn't brought up like that, and I couldn't stay in a house like that. After I left there I went to work for Grace's sister in Curwensville, and he would call me in the morning after he knew they were both at work and he would tell me to meet him down town that night.

He would keep calling, and he told me he was going to keep calling me until I went out with him. I just told him that I would never go out with him, because I was in love and would never go out with married men.

Q. Did you ever tell him to quite?

A. Yes, I would tell him that he better stop or I was going to leave or tell Grace or someone who would make him stop.

Q. Did you ever tell Grace?

A. No, not until after she left him. I didn't want to cause trouble, and I didn't think I should tell her at that time, because she was trying to make something of her marriage, and I didn't want to break it up.

Q. Is there anything else you ever witnessed while in the home?

A. He would always come home drunk, and the door would be locked, because it wouldn't stay shut until it was locked, and he practically broke the door down, and he woke the kids and they were crying and he kept beating on the door and cursing her out for locking the door and not letting him in.

Q. You had to lock the door, because it was the only way to keep it shut, is that right?

A. Yes.

Q. Did you ever hear him call her names?

A. Yes continually. I never heard him say anything nice about her. Even in the morning after she left he would stay and tell me what she was, but I knew better.

Q. What names have you heard him call her?

A. A whore, a son-of-a-bitch, and names like that. It was always a whore and bitch and never anything else about it.

Q. Did he call her names often?

A. Yes.

Q. Who bought the food for the house?

A. Grace bought the food for the house.

Q. Did Lyle bring anything into the house to eat?

A. I never saw him bring anything into the house to eat.

Q. What did you notice in the house while you were there, as to the way he treated her?

A. I never saw him beat her, but I knew from the bruises I had seen on her, that she must have been beaten, and he was mean to her.

Q. What did he do to her that you did see?

A. He would always bawl her out about something that wasn't true. The house was clean when he came home, because I helped with the housework during the day to get the house cleaned up. He would blame her for running around at night, and I knew she was at home at night, because I lived in there and was there at night with her.

Q. The way he treated her, could she have lived with him any longer?

A. I don't see how she could have.

Q. Was she a good and dutiful wife?

A. Yes.

Q. And was she always home and did she take good care of the children?

A. Yes she did.

Q. Did she prepare the meals for the family?

A. Yes she always prepared meals for the family and always had the food placed on the table and they always ate good.

Q. Did Lyle always stay at work when he went?

A. No, he would come home lots of times during the afternoon when he was suppose to be working, and stay home.

Q. Did she give her husband any reason to treat her the way he did?

A. None.

Q. Was she a good dutiful wife?

A. Yes.

Q. Do you know of any agreement between the two as to this divorce?

A. No, I don't.

BY CARL A. BELIN, MASTER: (To Grace Olive Stiner)

Q. Who has the children?

A. The children are living with me and the Court has made an order, but he never paid it up. I am living on public assistance and I work some.

I, Sandra R. Wisor, do hereby certify that this is
a true and correct transcript of the testimony taken
before the Master, Carl A. Belin.

Sandra R. Wisor

In the Court of Common Pleas of Clearfield County, Pennsylvania

XXXXXXXXXXXX

GRACE OLIVE STINER } Of February Term, 19 61
VERSUS } No. 108
LYLE ORVIS STINER }
DIVORCE

And Now, the 3rd day of June 1961, the
report of the Master is acknowledged. We approve his findings and recommendations; except
as to no exceptions

We, therefore, DECREE that Grace Olive Stiner be
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-
tracted between himself and Lyle Orvis Stiner.
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 no exceptions

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 Grace

Olive Stiner at fix costs expended in this action.

ATTEST

BY THE COURT

Prothonotary

John F. R. President Judge

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

No. 108 February Term 19-61

GRACE OLIVE STINER
Libellant

VERSUS

LYLE ORVIS STINER
Respondent

DECREE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
NO. 108 FEBRUARY TERM, 1961

UNCONTESTED

GRACE OLIVE STINER

vs.

LYLE ORVIS STINER

MASTER'S REPORT

Carl A. Belin, Master
Master fee \$75.00
C. A. Belin, Master
February 12, 1961

Carl A. Belin
CARL A. BELIN, MASTER

CARL A. BELIN
ATTORNEY AT LAW
CLEARFIELD, PENNA.

And now, June 30, 1961, notice of the presentation of the within report is hereby accepted and time is waived.

Bell, Silverbatt, Smolak
L.M. & Silverbatt
Attn: Mr. Plantiff