

DOCKET NO. 174

NUMBER	TERM	YEAR
<u>273</u>	<u>May</u>	<u>1961</u>

Marion Ann Van Gorkom

VERSUS

Billy C. Van Gorkom

Clearfield County, ss:

The Commonwealth of Pennsylvania, to James A. Gleason, 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

Marion Ann VanGorkom Plaintiff ,

and

Billy C. VanGorkom 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 17th day of July, in the year of our Lord one thousand nine hundred and sixty-one

Wm T. Hagerty Prothonotary

To the Honorable, the Judge, &c.:

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

Commissioner Seal COMMISSIONER.

No. 273 May Term, 1961

Marion Ann Vangorkom

VERSUS

Billy C. Van Gorkom

COMMISSION

David E. Blakley, Attorney.

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

MARION ANN VAN GORKOM	:	No. 273 May Term, 1961
	:	
VS	:	In Divorce:
	:	
BILLY C. VAN GORKOM	:	

DOCKET ENTRIES

JUNE 7, 1961, COMPLAINT IN DIVORCE filed: One copy certified to Attorney.

June 27, 1961, Sheriff's Return filed: NOW, June 9, 1961, served the within Complaint In Divorce on Billy Van Gorkom by sending by Registered Mail, Return Receipt requested, Addressee Only, a true and attested copy of the original Complaint In Divorce to Billy Van Gorkom, Box 4, George, Iowa, that being his last known address, Receipt signed by Billy Van Gorkom, is hereto attached and made part of this return of service. So answers, Charles G. Ammerman, Sheriff.

NOW, July 17, 1961, by motion on the ~~watch~~-book, James A. Gleason, Esq., is appointed Master to take the testimony and report the same with form of Decree.

Certified from the record this 17th day of July, A. D., 1961

Wm T. Harty
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARION ANN Van GORKOM

-vs-

BILLY C. Van GORKOM

:
:
:
:
:

No. 273, May Term, 1961
IN DIVORCE

*** **

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COMPLAINT

The Plaintiff brings this action of divorce on the following causes of action:

1. The name of the Plaintiff is Marion Ann Van Gorkom, and of the Defendant is Billy C. Van Gorkom, both of whom are of full age and competent.
2. The Plaintiff is residing at R. D. #1, DuBois, Clearfield County, Pennsylvania.
3. The Defendant is presently residing in George, Iowa, with mailing address Box 4, George, Iowa.
4. Both the Plaintiff and the Defendant are citizens of the United States.
5. The Plaintiff and Defendant were married on July 7, 1959 at the Mt. Zion Methodist Church in DuBois, Pennsylvania.
6. There was one child born as a result of this marriage, namely Miles Kevin Van Gorkom, age one (1) year, which child resides with the Plaintiff.
7. Plaintiff avers that the Defendant, in violation of his marriage vows, and of the laws of the Commonwealth of Pennsylvania, did offer such indignities and cruel and barbarous treatment to the person of the Plaintiff, as to render her life burdensome and her condition intolerable.
8. That neither party has instituted prior

divorce proceedings in this or any other county, and that there is not now pending any divorce proceedings between the parties.

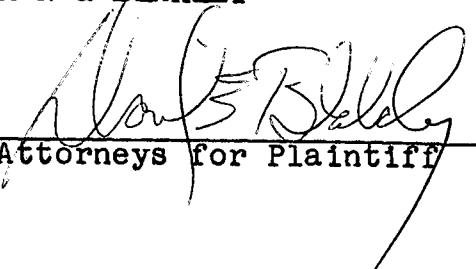
9. This action is not collusive.

WHEREFORE, your Plaintiff prays that she be granted a divorce a vincula matrimonii from the Defendant.

And she will ever pray.

AMMERMAN & BLAKLEY

BY


Attorneys for Plaintiff

STATE OF PENNSYLVANIA :
: SS
COUNTY OF CLEARFIELD :

The above named Plaintiff, MARION ANN Van GORKOM, being duly sworn according to law, deposes and says that the statements contained in the above complaint are true, and that the said complaint is not made out of levity or by collusion between her and the said Respondent, Billy C. Van Gorkom, for the mere purpose of being freed and separated from each other, but in sincerity and truth for the causes mentioned in the said libel.

Marion Ann Van Gorkom
Marion Ann Van Gorkom

Sworn to and subscribed
before me this 6th day of
June, 1961.

Mrs. Della W. Egan

MRS. DELLA W. EGAN, Notary Public
DU BOIS, CLEARFIELD CO., PA.
My Commission expires Sept. 30, 1962

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARION ANN Van GORKOM :
-vs- : No. 273 MAY TERM, 1961
BILLY C. Van GORKOM : IN DIVORCE

MASTER'S REPORT

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

The undersigned Commissioner appointed by your Honorable Court to take testimony and report the same with form of Decree in the above entitled action respectfully represents:

I. COMMISSION.

(Hereunto attached).

II. DOCKET ENTRIES AND SCHEDULE.

1. Complaint in Divorce filed on June 7, 1961.
2. On June 9th, 1961, the Sheriff of Clearfield County, served the within Complaint on Billy C. Van Gorkom, by sending by Registered Mail, Return Receipt Requested, Deliver to Addressee only, a true and attested copy of the original Complaint in Divorce, to Box 4, George, Iowa, Receipt signed by Billy C. Van Gorkom is hereto attached and made a part of this Report.
3. On July 17th, 1961, by Motion on the Watch Book, James A. Gleason, Esq., was appointed Master to take the testimony and report the same with form of decree.
4. Master's Hearing was appointed for August 18th, 1961, at 10:00 o'clock A.M., E.D.S.T., in the offices of Gleason, Cherry & Cherry, 109 North Brady Street, DuBois, Pennsylvania.
5. Notice of hearing was served on the above named

Defendant, BILLY C. VAN GORKOM, by Registered Mail, Return Receipt Requested, Deliver to Addressee only, and was signed by the said Defendant on the 30th day of July, 1961, said Return Receipt being hereunto attached and made a part hereof.

6. That at the time and place for hearing having arrived, there appeared before your Master, David E. Blakley, Attorney for said Plaintiff; MARION ANN VAN GORKOM, Plaintiff; and EVELYN HARBISON, Witness for Plaintiff. The Defendant did not appear nor was he represented by Counsel.

III. COMPLAINT AND FILED PAPERS.

(Hereto attached).

IV. CAUSES OF DIVORCE. Indignities and Cruel and Barbarous Treatment to the person of the Plaintiff.

V. FINDINGS OF FACT.

1. Marriage - The said Plaintiff and Defendant were married on the July 7, 1959 in the City of DuBois, Clearfield County, Pennsylvania.

2. Residence - The Plaintiff has resided in the Commonwealth of Pennsylvania continuously since birth, with the exception of a few months after her marriage when she resided in Sierra Madre, California. The present residence of the Plaintiff being R. D. #1, Du Bois, Clearfield County, Pennsylvania; and the present residence of the Defendant being Box 4, George, Iowa.

3. Citizenship - The Plaintiff and Defendant are both natural born citizens of the United States.

4. Age and occupation - The Plaintiff is 27 years of age and is a school teacher. The Defendant is 23 years of age and his occupation is unknown.

5. Children - There was one child born as the result of this marriage, to wit, Miles Kevin, aged sixteen months, who has resided since birth, and continues to reside with said

Plaintiff at R. D. #1, DuBois, Pennsylvania.

6. Armed Forces - Neither the Plaintiff nor the Defendant is a member of the Armed Forces of the United States.

7. Findings on the Merits and Discussion - Following their marriage in July, 1959, the Plaintiff and Defendant moved to DuBois after several months in California and the husband left his wife on January 1, 1961 and returned to his home in Iowa. It appears from the testimony that from the inception of their marriage, the defendant refused to accept any of the responsibilities of married life, was unable to support his family who depended mainly on the wife's income as a school teacher, drank and gambled, stayed out late at night without cause, struck his wife so violently that her face was swollen and discolored for about a week and a half, and by his studied course of conduct humiliated and abused the Plaintiff and destroyed their marriage.

VI. CONCLUSIONS OF LAW.

1. Your Commissioner finds that the proceedings in this action are in accordance with the requirements of law and rules of court.

2. The Court has jurisdiction of the action and the parties.

3. Good and sufficient grounds for divorce has been established by the evidence.

VII. RECOMMENDATIONS.

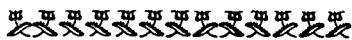
Your Master recommends that a divorce be granted to the Plaintiff and against the Defendant on the grounds of Indignities to the Person of the Plaintiff.

Respectfully submitted,



Commissioner.

In the Court of Common Pleas of Clearfield County, Pennsylvania


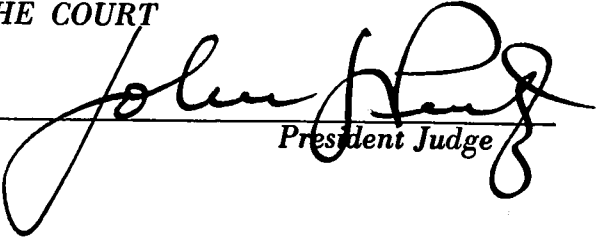


MARION ANN Van GORKOM	}	Of <u>May</u> Term, 19 <u>61</u>
		No. <u>273</u>
VERSUS		
BILLY C. Van GORKOM		
		DIVORCE

And Now, the 23rd day of Aug. 1961, the report of the Master is acknowledged. We approve his findings and recommendations; except as to _____

We, therefore, DECREE that MARION ANN Van GORKOM be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between ~~herself~~ and BILLY C. Van GORKOM. 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 MARION VAN Van GORKOM ~~hixx~~ her costs expended in this action.

ATTEST	BY THE COURT
	
Prothonotary	President Judge

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

No. 273 May Term 1961

MARION ANN Van GORKOM
Libellanti

VERSUS

BILLY C. Van GORKOM
Respondent

DECREE

Attorney

MARION ANN VAN GORKOM being produced and sworn, testified as follows:

BY MR. BLAKLEY:

Q. Would you state your name ?

A. Marion Ann Van Gorkom.

Q. Are you married ?

A. Yes.

Q. To whom ?

A. Billy Charles Van Gorkom.

Q. When and where were you married ?

A. July 7, 1959 at the Mt. Zion Methodist Church in DuBois, Pa.

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

A. My permanent address was R. D. 1, DuBois.

Q. And where did he reside at the time of your marriage ?

A. Box 4, George, Iowa.

Q. I mean, he lived in Iowa at the time you were married ?

A. That was his permanent address.

Q. Was he living here at the time ?

A. No, He'd been on the road.

Q. Now since you are married where have you resided ?

A. Immediately after we were married we went to Sierra Madre, California, and then we returned after several months to DuBois, Pa.

Q. Have you lived in DuBois since that time ?

A. Yes.

Q. And you are presently living in DuBois ?

A. That's right.

Q. And where is he living now ?

A. I'm not sure. The permanent address is Box 4, George, Iowa.

Q. But he's not around here ?

A. No.

Q. How long has it been since he has been living in DuBois ?

A. January 1st, 1961.

Q. Are you a citizen of the United States ?

A. Yes.

Q. Is he a citizen of the United States ?

A. Yes.

Q. What is your age and occupation ?

A. Twenty-seven, and a school teacher.

Q. Do you know his age ?

A. Twenty-three.

Q. Is he employed, do you know ?

A. I think he's unemployed.

Q. Were there any children born as a result of this marriage ?

A. One, - Miles Kevin.

Q. What is his age ?

A. Sixteen months.

Q. And with whom does he reside ?

A. With his mother.

Q. Is your husband supporting the child ?

A. No.

Q. Has your husband supported you since the separation ?

A. No.

Q. Have you ever been in the military service of the United States ?

A. No.

Q. You are not now a member of the military service ?

A. No.

Q. Do you know, has your husband ever been in the military service ?

A. Yes.

Q. When ?

A. Three years previous.

Q. You mean prior to your marriage ?

A. Yes.

Q. At the time of your separation in January of 1961, was he in the service ?

A. No, he was in the reserve.

Q. Do you have any knowledge as to whether or not he might be in the service now ?

A. I fairly sure that he's not in the service.

Q. Now when did the difficulties between you and your husband begin ?

A. It never exactly began. He felt increasingly that he was unable to assume a husband's role in marriage, and unable to assume his responsibilities. Two days before Christmas last year, he told me he was leaving me, and that was the first indication I had that he had any desires that way.

Q. Had you had any trouble before that time ?

A. The usual quarrels, perhaps over - he drank excessively when he couldn't face his problems, and I had urged him to look at his problems, but I had felt confident that everything would work out.

Q. And he did drink excessively ?

A. Yes.

Q. Did he work and support you during the time you were living here in DuBois ?

A. He worked - he tried to support me to the best of his ability which wasn't adequate but we managed to get along. My salary saved us.

Q. You were working at this time, teaching school. Is that correct ?

A. I began teaching last September.

Q. His drinking, was that usually done on your money ?

A. No, most of the time it was done on money that he - well a few dollars or something from his pay check, but mostly he played poker and won enough to equip himself and he had a lot of friends.

Q. When did he do this excessive drinking - would it be in the evenings ?

A. Yes, he sometimes would feel tied down and problems, perhaps

financial would arise, or emotional. And he just would call me and say I won't be home tonight, or maybe he wouldn't call and he'd come home when the bars would close.

Q. Would he be drunk ?

A. Yes.

Q. Was he ever mean towards you when he was drunk ?

A. Yes.

Q. Did he ever strike you ?

A. Yes.

Q. On many occasions ?

A. No.

Q. How many occasions ?

A. Just once.

Q. When was that ?

A. Last July, I can't remember exactly the time.

Q. Was he drunk ?

A. He was very drunk and he was also very upset. I can't tell if he did this because he was drunk or because he was extremely upset, or the two together.

Q. Did he strike you - where ?

A. On the face violently. My face was swollen and discolored for about a week and a half.

Q. He actually injured you then ?

A. Yes.

Q. That was the only occasion ?

A. Yes.

Q. Did he ever provide for you and the child as you think he should have ?

A. I think he wanted to but I think he was unable.

Q. Well, actually he never did then ?

A. No.

Q. When your husband announced that he was leaving you, did he give any reasons ?

A. No.

Q. That was before Christmas, was it that he announced he was leaving ?

A. Yes - two days before Christmas.

Q. Then he left on the 1st of January, 1961 ?

A. He left me, or rather we were living at Sabula at the time, and he told me when he said he was leaving, that I should get my clothes and go out to my parents. And I had left the baby out there that night, my mother had been watching him, so I got my clothes and the baby's clothes, some of them at least, and went out to my parents. I saw him on several occasions after that as I packed up my things and moved into a furnished apartment, but we never lived together from that time.

Q. And has he ever supported you and the child since that time ?

A. No.

Q. Has he ever come to visit the child ?

A. No.

Q. Do you feel that the love and affection upon which a marriage is based is gone in this case ?

A. Yes.

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

A. No, I am paying for the divorce, but he told me once he wouldn't contest it.

Q. Did you ever institute a prior divorce proceedings against your husband prior to this one ?

A. No.

Q. Did he ever institute a proceedings against you ?

A. No.

EVELYN HARBISON, being produced and sworn, testified as follows:

BY MR. BLAKLEY:

Q. Would you state your name please ?

A. Evelyn Harbison.

Q. Are you related to the plaintiff in this action ?

A. Yes, I'm her mother.

Q. Were you familiar with her marital life ?

A. Yes.

Q. Do you feel that the testimony given by Mrs. VanGorkom as to her marital difficulties here today, is true and correct ?

A. Yes, it is.

Q. Have you personally observed their married life ?

A. Yes, I have.

Q. They lived here in DuBois, and you lived here too, is that right ?

A. That's right.

Q. Did he drink to excess ?

A. Most all the time he was drunk.

Q. Did he contribute anything to the marriage, do you think ?

A. Very little.

Q. Do you feel that Mrs. VanGorkom was in any way at fault in the difficulties ?

A. No, I don't.

Q. Do you feel that the love and affection upon which a marriage is based no longer exists in this case ?

A. Well I think it could have if he wouldn't have drank like that, but it was no place for a home and a baby when he was drunk like that all the time.

Q. Under the circumstances you don't feel that this marriage could have lasted ?

A. No, I don't feel it could.

Q. And the fact of his leaving, do you feel he had any cause to leave ?

A. No.

Q. Mrs. VanGorkom testified as to being beat up once by him, did you observe her after that ?

A. Yes.

Q. Was she bruised and battered ?

A. Yes, she was black and blue.

Q. Would you say it was quite a bad beating ?

A. Yes.

No. *373* *Mc* Term, 1961

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

IN DIVORCE

MARION ANN VAN GORKOM

VS

BILLY C. VAN GORKOM

COMPLAINT

TO THE WITHIN DEFENDANT:

You are hereby notified to
plead to the within Com-
plaint within twenty (20)
days from the date of
service hereof.

W. T. Hagerly
Attorney for Plaintiff

FILED

JUN-7 1961

WM. T. HAGERLY
PROTHONOTARY

LAW OFFICES
AMMERMAN & BLAKLEY
DUBOIS, PENNA.

In the Court of Common Pleas of Cld County, Pa.

Martenna Van Gorkon

vs

Billy Van Gorkon

No 273 May Term 1961
Notice by Registered Mail
Complaint In Divorce

(Sheriff's Return)

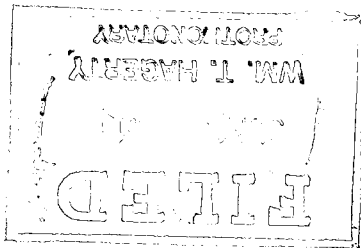
Now, June 9, 1961 served the within Complaint in Divorce on Billy Van Gorkom by sending by Registered Mail, Return Receipt Requested, Addressee Only, a true and attested copy of the original Complaint in Divorce to Billy Van Gorkom, Box 4, George, Iowa. that being his last known address, Receipt signed by Billy Van Gorkom, is hereto attached and made part of this return of service.

Costs Sheriff Ammerman \$7.18
(Paid by Attys A.B.)

So Answers,
Charles G. Ammerman
Charles G. Ammerman
Sheriff

Sworn to before me this 15th
day of June 1961 A.D.

John J. Kogut



#1-INSTRUCTIONS TO DELIVERING EMPLOYEE



Deliver *ONLY* to
addressee



Show address where
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)

Walter Van Gorkum

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

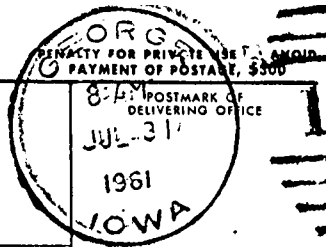
Deliver to Addressee Only

DATE DELIVERED

7-30-68

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

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



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.

RETURN
TO

...POD Form 3811 Jan. 1958

REGISTERED NO. 145	NAME OF SENDER <i>Elmer Cherry & Cherry</i>
CERTIFIED NO.	STREET AND NO. OR P. O. BOX <i>Box 118</i>
INSURED NO.	CITY, ZONE AND STATE DuBois, Pa.

C55-16-71548-4

1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐

Deliver *ONLY* to
addressee

☐

Show address where
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)

Stacy Venfokan

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Deliver to Addressee Only

DATE DELIVERED

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

POST OFFICE DEPARTMENT OFFICIAL BUSINESS PENALTY FOR PRIVATE USE TO VOID PAYMENT OF POSTAGE, \$300		REGISTERED NO. CERTIFIED NO. INSURED NO.	
NAME OF SENDER STREET AND NO. OR P. O. BOX CITY, ZONE AND STATE		INSTRUCTIONS: Fill in items below and com- plete #1 on other side, when applicable. Moist- en gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.	
RETURN TO		POSTMASTER OF DELIVERING OFFICE GEORGE JUN 1 1961 IOWA	

POD Form 3811 Jan. 1958

CSS-16-71548-4

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MARION ANN Van GORKOM

-VS-

BILLY C. Van GORKOM

No. 273 MAY TERM, 1961

IN DIVORCE

NOTICE OF MASTER'S HEARING

TO: BILLY C. Van GORKOM, late of Box #4, George, Iowa:

You are hereby notified that the undersigned, JAMES A. GLEASON, Esq., has been appointed Master in the above entitled action, and that a hearing in said cause will be held in the offices of Gleason, Cherry & Cherry, Attorneys at Law, 109 North Brady Street, DuBois, Pennsylvania, on Friday, August 18th, 1961, at 10:00 o'clock A.M., EASTERN DAYLIGHT SAVING TIME, when and where you may appear with your witnesses, if you so desire.

JAMES A. GLEASON, Esq.
Master

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNA. No. 273 MAY TERM, 1961 IN DIVORCE	
MARION ANN VAN GORKOM -VS- BILLY C. VAN GORKOM	
MASTER'S REPORT (UNCONTESTED)	
JAMES A. GLEASON, Esq. Master's Fee \$ 85.00 Registered Mail Deliver to Addressee Only, Notice of Master's Hearing	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FILED AUG 23 1961 WM. T. HAGERDORN PROthonotary </div> <div style="text-align: right; margin-top: 10px;"> $\frac{1.14}{\\$86.14}$ </div>
LAW OFFICES GLEASON, CHERRY & CHERRY 7-10 DAMUS BUILDING DU BOIS, PENNSYLVANIA 109 N. BRADY STREET	

Now this 21st Day of August 1961, I am Accepted
 & Notice of Present Claim

Walter B. B. B.
Atty for Plaintiff