

DOCKET NO. 174

NUMBER TERM YEAR

300 September 1961

Harry Berzonsky

VERSUS

Mavis L. Berzonsky

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENN'A.
NO. 300, SEPTEMBER TERM, 1961
IN DIVORCE

HARRY HERZONSKY, Plaintiff

VS.

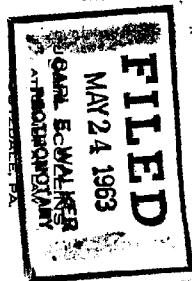
MAVIS L. HERZONSKY, Defendant.

This is an uncontested Case

MASTER'S REPORT

Costs:

John S. Scollins,
Master's Fee, \$85.00
Postage, 2.60
Kathryn Scollins,
Stenographer, 14.00



And now the 24th of May 1963 report of Master
accepted & time waived.

John J. McLawley

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

Harry Berzonsky

Plaintiff ,

and Mavis L. Berzonsky

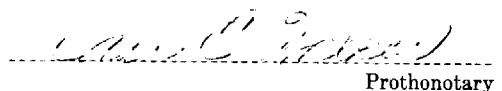
Defendant ,

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 recommended 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.

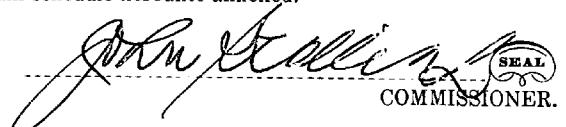
In Testimony Whereof, we have caused the seal of our said Court to be hereunto affixed.

WITNESS, the Hon. John J. Pentz, President of our said Court, at Clearfield, the 26th day of February, in the year of our Lord one thousand nine hundred and sixty-three


John J. Pentz
Prothonotary

To the Honorable, the Judge, &c.:

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


John Scollins, Esquire
SEAL
COMMISSIONER.

No. 300 September Term 1964

Harry Berzonsky

VERSUS

Mavis L. Berzonsky

COMMISSION

Baird & McCamley Attorney.

IN THE COURT OF COMMON PLEAS OF
CLAYTON COUNTY, PENNSYLVANIA

No. 329, Sept. Term, 1961.

In Divorce

ELAINE BEMONSKY,
Plaintiff;

Vs.

DAVE L. BEMONSKY,
Defendant

Court Clerk

To the Within Named Defendant:

You are hereby notified and
required to file an Answer to the
within Complaint within Twenty
(20) days from the date of service
hereof.

ELAINE BEMONSKY
BAILEY & McCAFFREY
ATTORNEYS
PHILADELPHIA, PENNSYLVANIA
Sept 14, 1961

6,500 copies

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY BERZONSKY, Plaintiff }
vs. } No. 309 Sept Term, 1961
MAVIS L. BERZONSKY, Defendant } In Divorce

C O M P L A I N T

1. The Plaintiff is Harry Berzonsky and the Defendant is Mavis L. Berzonsky.

2. The Plaintiff resides at Ramey, Clearfield County, Pennsylvania.

3. The Defendant is a citizen of the United States, whose last known address was General Delivery, Glen Burnie, Maryland.

4. The Plaintiff has resided in the Commonwealth of Pennsylvania continuously for more than one (1) full year immediately preceding the filing of this Complaint.

5. The parties hereto were lawfully joined in marriage on December 26, 1941 in Houtzdale, Clearfield County, Pennsylvania.

6. There was one (1) child born of this marriage; namely, Lucinda Clare Berzonsky, born June 8, 1944.

7. On or about November, 1956, the Defendant did willfully and maliciously desert the Plaintiff, without reasonable cause, and has continued in such desertion to the time of this action, a period in excess of two (2) years.

8. There is no collusion between the parties to this action.

9. There have been no prior actions for divorce or annulment of the marriage between the parties hereto in any jurisdiction.

WHEREFORE, the Plaintiff brings this action and prays that a Decree be issued divorcing him, the said Harry Berzonsky, from the bonds of Matrimony existing between him and the said

Mavis L. Berzonsky as if they had never been married, or as if the said Mavis L. Berzonsky were naturally dead.

BAIRD & McCAMLEY

By John J. McCamley
Attorneys for Plaintiff

COMMONWEALTH OF PENNSYLVANIA () SS :
COUNTY OF CENTRE ()

Before me, a Notary Public in and for the above named State and County, personally appeared Harry Berzonsky, who being duly sworn according to law, deposes and says that the statements contained in the foregoing Complaint are true and correct to the best of his knowledge and belief, and that the said Complaint is not made out of levity or by collusion between him and the said Mavis L. Berzonsky for the mere purpose of being freed and separated from each other, but in sincerity and truth for the cause set forth therein.

Harry Berzonsky

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

Notary Public

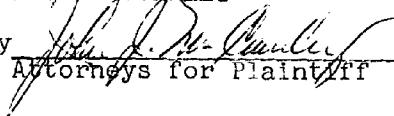
BAIRD & McCAMLEY
ATTORNEYS AT LAW
PHILIPSBURG, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA
HARRY BERZONSKY, Plaintiff }
vs. } No. 300 September Term, 1961
MAVIS L. BERZONSKY, Defendant }

TO THE PROTHONOTARY OF THE SAID COURT:

Reinstate the Complaint in the above entitled action.

BAIRD & McCAMLEY

By 
Attorneys for Plaintiff

Dated: January 31, 1962

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA

NO. 300 SEPTEMBER TERM, 1961

IN DIVORCE

HARRY BERZONSKY, Plaintiff

vs

MAVIS L. BERZONSKY
Defendant

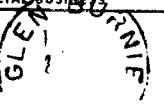
AFFIDAVIT OF SERVICE

FILED

5
FEB 26 1963

CARL E. WALKER
PROTHONOTARY

BAIRD, McCAMLEY & MILLER
ATTORNEYS AT LAW
PHILIPSBURG, PENNSYLVANIA

POST OFFICE DEPARTMENT OFFICIAL BUSINESS		PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300
		
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.		
REGISTERED NO.	NAME OF SENDER <i>Baird & McCamley</i>	
CERTIFIED NO. <i>788531</i>	STREET AND NO. OR P. O. BOX <i>Attorneys at Law</i>	
INSURED NO.	CITY, ZONE AND STATE <i>Philippines Manila</i>	
 RETURN TO		

#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).

*Mr. L. S. Bremner
578 Turnney Branch Road, Burnie, Tas.*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY BERZONSKY,
Plaintiff

vs.

MAVIS L. BERZONSKY,
Defendant

NO. 300 SEPTEMBER TERM, 1961

IN DIVORCE

AFFIDAVIT OF SERVICE

COMMONWEALTH OF PENNSYLVANIA |
COUNTY OF CENTRE | SS:

John J. McCamley, Esq., being duly sworn, deposes that:
1. He is the attorney for the Plaintiff in this action.
2. He served the Defendant, Mavis L. Berzonsky, on
February 9, 1962 by sending a certified copy of the Complaint to
her by certified mail addressed to 578 Furnace Branch Road, Route
2, Glen Burnie, Md.
3. The return receipt for the certified letter is per-
sonally signed by the Defendant and is attached hereto.

John J. McCamley

Sworn to and subscribed before me this 26 day of
February, 1963.

Carl E. Walker
N. P.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

HARRY BERZONSKY :
-VS- : NO. 300 SEPTEMBER TERM 1961
MAVIS L. BERZONSKY :
:

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

OCTOBER 14, 1961, COMPLAINT IN DIVORCE filed.

February 1, 1962, On praecipe filed by Baird and McCamley, Attorneys, the above Complaint is reinstated. Service to be made by Baird and McCamley, by certified mail.

February 26, 1963, Affidavit of Service, filed:
John J. McCamley, Esq., being duly sworn deposes that:
1. He is the attorney for the Plaintiff in this action.
2. He served the Defendant, Mavis L. Berzonsky, on February 9, 1962 by sending a certified copy of the Complaint to her by certified mail addressed to 578 Furnace Branch Road, Route 2, Glen Burnie, Md.
3. The return receipt for the certified letter is personally signed by the Defendant and is attached hereto. S/ John J. McCamley.

February 26, 1963, By Motion on the Watch Book, John Scollins, Esq. is appointed Master to take testimony and report same with form of decree recommended to the Court. By the Court, John J. Pentz, President Judge.

Certified from the records

this 27th day of February, 1963.

John J. McCamley

RECEIPT FOR
REGISTERED ARTICLE NO. 13 Date 4-13-63

Value \$ 10.00 Special delivery fee 10 ¢

Fee \$ 60 Return receipt fee 10 ¢

Surcharge \$ 0 Restricted delivery fee 50 ¢

Postage \$ 0.5 Airmail

From John Postumus Et At Law

Hartdale, Pa

Addressed to Madis L. Burzynsky

One Business Rd., Bridgeport

POSTMARK

GPO 09-16-12666-8

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)

Morris F. Seig, Esq.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

4-22-63

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

C53-16-71542-4 GPO

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

HARRY BERZONSKY, Plaintiff, NO. 300 September Term, 1961.

VS. IN DIVORCE.

MAVIS L. BERZONSKY, Defendant.

NOTICE OF MASTER'S MEETING.

To: Mavis L. Berzonsky,
P.O. Box 531, Glen Burnie, Maryland.

Madam:

You are hereby notified that I have been appointed Master to take testimony in the above action brought against you by Harry Berzonsky, Plaintiff, for divorce on the ground of desertion for a period in excess of two years.

I shall hold a meeting on Thursday, May 9th, 1963 at 2 o'clock P.M., EST., at my office 615 Brisbin Street in the Borough of Houtzdale, Clearfield County, 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.,
April 18, 1963.

JOHN SCOLLINS, MASTER.

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

HARRY BERZONSKY, Plaintiff | NO. 300, September Term, 1961
VS. | IN DIVORCE.
MAVIS L. BERZONSKY, Defendant.

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 report thereon with a form of decree, respectfully reports:

That pursuant to his appointment on February 26, 1963 he set Thursday, May 9th, 1963 at 2 o'clock P.M., DST., and his office 615 Brisbin Street in the Borough of Houtzdale, Clearfield County, Pennsylvania, as the time and place of a meeting to take the testimony of witnesses. Due notice in writing was given to Counsel of record for the Plaintiff; and service upon the Defendant by registered mail, Article No. 13, delivery restricted to Addressee only, prepaid postage, to P.O. Box 531, Glen Burnie, Maryland; return-receipt requested; delivered to Defendant 4-22-63. The originals of said Notice with proof of personal service upon the Defendant, and acceptance thereof by Counsel for the Plaintiff, are hereto attached and made a part of this report.

The meeting was held as appointed and was attended by John J. McCamley, Esq., Attorney for the Plaintiff; Harry Berzonksy, the Plaintiff in person; and Michael Strongosky, witness on behalf of the Plaintiff. The Defendant did not appear, nor was she represented by counsel. This is an uncontested case.

Counsel for the Plaintiff offers in evidence the Complaint in Divorce, together with the Return of service; the appointment of the Master, and all other papers of record to No. 300, September Term, 1961, which were admitted.

The Plaintiff and his witness were sworn and examined upon the merits of the case, their testimony being hereto attached and made a part of this report.

The Master further reports as follows:

I. SERVICE OF PROCESS.

The Complaint was filed October 14, 1961, and a certified copy thereof, with Rule on the Defendant to file an answer within twenty (20) days from the date of service thereof, was served upon the Defendant, Mavis L. Berzonsky, on February 9, 1962 by certified mail addressed to 578 Furnace Branch Road, Route 2, Glen Burnie, Md., and delivered to the Addressee only, and received by the Defendant February 14, 1962.

II. CAUSE OF DIVORCE.

Wilful and malicious desertion of the Plaintiff.

III. FINDINGS OF FACT.

1. Marriage: The Plaintiff and the Defendant were married December 27, 1941, before Charles Saupp, Justice of the Peace residing in Houtzdale Borough, Clearfield County, Pa.

2. Residence and Jurisdiction: At the time of their marriage the Plaintiff was domiciled in Ramey, Gulich Township, Clearfield County, Pennsylvania; and the Defendant resided in her parents' home in Glasgow, Cambria County, Pa.

Following their marriage the Plaintiff went into the Armed Service of the U.S., where he served almost four years, while the Defendant continued to reside with her parents in Glasgow, Pa. After Plaintiff's discharge from the Service

they took up housekeeping in New Kensington where Plaintiff had been employed prior to his entry into the Service, and lived there until 1948, when he moved back to Glasgow, and lived there until 1950. They went to Baltimore and took up housekeeping, and maintained their residence in Baltimore until November, 1959, when Plaintiff returned to his original home in Ramey, Clearfield County, Pennsylvania, where he has continued to live until the present time.

From 1950 to 1956 they cohabited together in Baltimore until November, 1956, when Defendant left for an unknown destination.

3. Age and Occupation: The Plaintiff is 47 years of age and is now temporarily employed as a steward by the Pennsylvania Hotel in Tyrone, Pa.; his usual employment is with the Hommer Lumber Company at Glasgow, Pa.

The Defendant is 42 years of age, having been born January 12, 1921 in Houtzdale, Pa., and following the occupation of housewife, took up a job in a tavern, tending bar, prior to her leaving in November, 1956.

4. Children: There was one child born of this marriage, Lucinda Clare Berzonsky, born June 8, 1944, aged 18 years last past, a retarded child now with her mother, the Defendant in Maryland.

5. Findings on the Merits and Discussion.

(a) Findings of Fact.

1. The Plaintiff and the Defendant are natural born citizens of the United States, having been born in the Commonwealth of Pennsylvania, in which they were both domiciled from their respective births until 1950 when they went to Baltimore, Maryland in 1950, took up housekeeping there, where Plaintiff

continued to maintain their home until November, 1959, when he returned here to Ramey, Gulich Township, Clearfield County, Pennsylvania, to the family home in which he was raised, and where he has continued to reside. In the meantime, November, 1956, the Defendant deserted their common household, for an unknown destination; and did not return to Maryland while Plaintiff remained there; but eventually returned and is presently residing in the vicinity of Glen Burnie, Maryland.

2. That in violation of her marriage vows and the laws of this Commonwealth, Mavis L. Berzonsky, the Defendant from on or about November, 1956, did wilfully and maliciously desert and absent herself from the habitation of Harry Berzonsky, the Plaintiff, the injured and innocent spouse, without a reasonable cause, for and during the term and space of two years.

3. The action is not collusive.

4. No prior actions for divorce, or annulment of the marriage between the parties, has ever been instituted in this or any other jurisdiction.

5. Neither party is a member of the United States Armed Forces.

6. The Complaint was not filed out of levity.

(b) Discussion.

This case presents no complications, either jurisdictional, or on the merits. Following their marriage the Plaintiff was called to service in the Armed Forces, with which he served for approximately four years, and meanwhile the Defendant remained at her parents' home in Glasgow, Cambria County, Pa., where their child was born June 8, 1944, and though 18 years of age is a retarded child and is being supported by the Plaintiff.

From the time of their marriage in 1941 until November, 1956, the parties had no marital difficulties whatsoever, until the Defendant took a job in a Tavern, tending Bar; and, on this one day she didn't return home after work, and Plaintiff inquiring of her neighbor as to her whereabouts was informed that she had left, taking such few clothes that Plaintiff did not even notice that her clothes were gone, and gave Plaintiff no reason or excuse for her conduct.

Plaintiff did not see the Defendant from the day she left until after Plaintiff decided to take his child out of the institution where she was being cared for, and place her with a neighbor who looked after the child while Plaintiff worked, from 1956.

Defendant flew into Maryland from Chicago, in 1959, and agreed upon the placing of the retarded child with a neighbor, and the amount the Plaintiff was to pay for its support, which Plaintiff has always provided, and still continues to provide.

Defendant then returned to Chicago, where she remained until her subsequent return to the vicinity of Glen Burnie, Maryland, where she received the service of the Complaint in Divorce, and the Notice of the Master's meeting.

The Plaintiff continued to reside at the same place in Baltimore and maintained the home which was available to Defendant to return to from the day she left in November, 1956 until November, 1959, a period of three years, if she desired to return home. The reason for Plaintiff's return to his former home in Ramey, Pennsylvania, was the loss of his employment in Baltimore, and the need of a job.

The only explanation Defendant gave for leaving was "he (plaintiff) was too good to her", but Plaintiff had some reason for believing that Defendant was in love with another man.

The Master had an opportunity to observe the Plaintiff and his witness personally. The testimony in chief of the Plaintiff was corroborated by that of his witness. The Defendant was aware of the meeting, and had an opportunity to present her defense, if she had one. She did not avail herself of the opportunity afforded her 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:

"(d) Shall have committed wilful and Malicious desertion, absence from the habitation of the injured and innocent spouse, without a reasonable cause, for and during the term and space of two years;"

The examination of the Plaintiff and his witness establishes clear and satisfactory proof that desertion of the Defendant was wilful and malicious, continued so to be, for a period in excess of two years, and was without consent or encouragement of the Plaintiff.

Ziegenfus vs. Ziegenfus
159 Sup. Ct. 521.

IV. CONCLUSIONS OF LAW.

1. The Plaintiff and the Defendant contracted a legal marriage and that 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 witness are sufficient to establish the vaerments in the Complaint setting forth a cause of action on the ground of desertion.

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 desertion.

V. RECOMMENDATION.

In accordance with the foregoing Findings of Fact and Conclusions of Law, the Master respectfully recommends that a judgment of divorce a vinculo matrimonii be entered as prayed for in the Complaint, and submits a form of decree.


JOHN SCOLLINS - MASTER.

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

HARRY BERZONSKY,
Plaintiff

PC. 300 September Term, 1931.

vs.

NAVIS BERZONSKY,
Defendant.

I: DIVORCE

Minutes of the meeting held at the offices of John Scollins, Esq., Master, 315 Brishin Street, in Houtzdale Borough, Clearfield County, Penn'a., on Thursday, May 9th, 1931 at two o'clock P.M., DST. Appearances noted: Harry Berzonsky, Plaintiff, John J. McCamley, Esq., Attorney for the Plaintiff, and Michael Strongosky, witness on behalf of the Plaintiff. The Defendant did not appear, neither was she represented by Counsel.

Counsel for the Plaintiff offers in evidence the Complaint in Divorce, together with Return of Service, Affidavit of Service, Appointment of Master and all other papers of record to No. 300, September Term, 1931.

All parties being duly sworn, testified as follows:

Q.- Harry Berzonsky, the Plaintiff, being called and examined by John J. McCamley, Esq.:

Q.- What is your name?
A.- Harry Berzonsky.

Q.- Where do you live?
A.- In Ramey, Gulich Township, Clearfield County, Pa.

Q.- How old are you?
A.- Forty-seven years old.

Q.- Where were you born?
A.- In Glen Campbell, Indiana County, Pa., on February 2, 1916.

Q.- Are you presently employed?
A.- Yes, by the Pennsylvania Hotel in Tyrone, Pa.

Q.- In what capacity are you employed there?
A.- As a steward; it is temporary employment, as I am usually employed by the Hommer Lumber Company at Glasgow, Pa.

Q.- What is your wife's name?
A.- Navis L. Berzonsky.

Q.- How old is she?
A.- About 42; she was born January 12, 1921 in Houtzdale, Pa.

Q.- What was her maiden name?
A.- Navis Scott.

Q.- In the Complaint you allege the last known address of your wife as "General Delivery, Glen Burnie, Maryland", and it is a matter of record that the Complaint was served on her via Certified Mail appropriately marked "Deliver only to Addressee", and I show you this return receipt: is that the

signature of your wife?

A.- Yes, that is her signature alright.

Q.- Have you subsequently learned of a later address of your wife than this?

A.- P. O. Box 531, Glen Burnie, Maryland.

Q.- Then, where and by whom were you married?

A.- We were married December 27, 1941, in Mountdale, Pa., by Charles Saupp, Justice of the Peace.

Q.- In the Complaint you set forth the date of your marriage as being December 26th, 1941?

A.- The correct date was actually December 27th, 1941.

Q.- Were any children born of this marriage?

A.- One, Lucinda Clare Parsons Ky.

Q.- When was she born?

A.- June 8, 1944, making her 18 years of age.

Q.- Where does she reside?

A.- With her mother in Maryland.

Q.- Where did you reside immediately before you were married?

A.- When I got married I went to New Kensington, as that is where I had been working, and my wife stayed at home in Glasgow, Pa.

Q.- Then where did you go?

A.- I went to the Service.

Q.- How long were you in the Service?

A.- Almost four years.

Q.- During that period of time where did your wife reside?

A.- At her parents' home in Glasgow.

Q.- After you were discharged from the Service where did you take up housekeeping?

A.- We moved to New Kensington.

Q.- How long did you stay there?

A.- Until 1948.

Q.- Then where did you move?

A.- Back to Glasgow, and stayed there until 1950.

Q.- At this time, in 1950, where did you go?

A.- We went to Baltimore and took up housekeeping, and maintained our residence in Baltimore until November, 1959.

Q.- In November, 1959, where did you go?

A.- Back here to Ramey.

Q.- Had the difficulty with your wife taken place before this time?

A.- Yes, the trouble started in November, 1956.

Q.- You and your wife have not lived together since November, 1956?

A.- That is right.

Q.- You continued to reside in Baltimore and came back to Ramey in November, 1959, and continue to reside in Ramey up to and until the present time?

A.- Yes.

Q.- From 1950 to 1953 you and your wife cohabited in Baltimore?
A.- Yes.

Q.- In November, 1956, where did your wife go?
A.- I don't know where she went; she just left.

Q.- Do you know when or if she came back into the Maryland area where she currently resides?

A.- She did not come back there while I was still there, but she did eventually come back to make arrangements for the child.

Q.- To the best of your knowledge then, she is presently residing in the general vicinity of Glen Burnie, Maryland?
A.- Yes.

BY THE LASTER:

Q.- Where was the child born?
A.- In Glasgow, Pennsylvania, while I was in the Service.

Q.- Are you personally contributing to the support of your child?
A.- Yes I am.

BY L.R. McCALLY:

Q.- How long is it since you and your wife have lived together?
A.- Since 1956, when she left.

Q.- Is your wife, or has she ever been, a member of the Armed Forces?
A.- No.

Q.- From the time of your marriage in 1941 on through the fifties did you and your wife have any particular marital difficulties?
A.- None whatsoever, until 1956.

Q.- What happened in November, 1956?
A.- She got a job in a tavern, tending bar, and one day she just didn't come home. She was in with my neighbor, so I asked my neighbor where she got to because I am going to call the police if she doesn't come home; she took a few clothes and she left; that was in November, 1956; she took so few clothes that I did not even notice they were gone.

Q.- Did you see her subsequently since this?
A.- Just the time she came to see about the child. My child is a retarded child, and because I did not like this and was going to take the child out of the institution and put her at my neighbor's place where I kept her when I worked; she flew in from Chicago, took the child to the neighbor's and went right back to Chicago.

Q.- Did your wife ever give you any explanation as to why she left?
A.- She said I was too good to her.

Q.- Did she ever tell you about being in love with another man?
A.- No, she never told me, but I have reason to believe that she did; the only reason she ever gave for leaving was that I was too good to her; we had no particular difficulties before this happened.

Q.- Were you always steadily employed?
A.- Right; I always provided for her and the child.

Q.- Did your wife ever give you any reason to make you believe she was dissatisfied?

A.- No, she seemed satisfied; she had the car any time she wanted it; I cannot give any reason why she left.

Q.- Did you continue to reside at the same place in Baltimore?

A.- Yes, I stayed there until November, 1959.

Q.- Was the home always available to her if she was desirous of returning?

A.- Yes; the reason I left in 1959 was that I lost my job, and I came back here looking for employment; I made arrangements with the neighbor to take care of the child while I was gone; before I could arrange to bring the child here, she went over and took the child with her.

Q.- Have you at any time since her leaving in November, 1959, cohabited or lived together with your wife?

A.- At no time whatsoever.

Q.- Is there any collusion of any kind between you and your wife relative to the bringing of this action?

A.- No, I am bringing this on my own; there is no agreement whatsoever.

Q.- Have you or anyone instituted an action for divorce or annulment of this marriage in any jurisdiction other than this present action?

A.- No.

Michael Strongosky, witness on behalf of the Plaintiff, being duly sworn according to law, testifies as follows:

BY MR. McCANLEY:

Q.- What is your name?

A.- Mike Strongosky.

Q.- Where do you live?

A.- In Janesville - Smith Hill P. C., Gulich Township, Clearfield County, Penn'a.

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

A.- Yes I do.

Q.- How long have you known the Plaintiff?

A.- All my life.

Q.- How long have you known his wife, the Defendant?

A.- Approximately twenty years.

Q.- Did you know her before their marriage?

A.- Yes.

Q.- Do you know what happened between these parties?

A.- Only what Harry told me when he came back home, that his wife left him.

Q.- Do you know when Harry returned here from Baltimore?

A.- He returned around hunting season in 1959, so when he says November, 1959, that is correct.

C.- Do you see Harry quite frequently?
A.- Yes, I see him several times a week.

C.- Have you at any time since 1959 until the present time seen him in the presence of another woman?
A.- No I have not.

C.- If his wife had been in the area and they co-habited do you think you would have known about it?
A.- Yes I would have known if she was here.

C.- How old are you?
A.- Forty-four.

C.- And what is your occupation?
A.- I am a disabled War Veteran.

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

HARRY BERZONSKY, Plaintiff, NO. 300 September Term, 1961.

VS. IN DIVORCE.

MAVIS BERZONSKY, Defendant.

NOTICE OF MASTER'S MEETING.

To: Harry Berzonsky,

Ramey, Clearfield County, Pennsylvania:

Sir:

You are hereby notified that I have been appointed Master to take testimony in the above action brought by you against Mavis L. Berzonsky, Defendant, for divorce on the ground of desertion, for a period in excess of two years.

I shall hold a meeting on Thursday, May 9th, 1963 at 2 o'clock P.M., DST., at my office 615 Brisbin Street in the Borough of Houtzdale, Clearfield County, 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.,

JOHN SCULLINS, MASTER.

April 18, 1963.

AND, NOW, this 18 day of April, 1963, service of the foregoing Notice of Master's Hearing is hereby accepted for and on behalf of the Plaintiff and a receipt of a copy thereof hereby acknowledged.

BAIRD, McCAMLEY & MILLER

By John J. Baird
Attorneys for Plaintiff

In the Court of Common Pleas of Clearfield County, Pennsylvania

RECEIVED

HARRY BERZONSKY,
Plaintiff } Of SEPTEMBER Term, 19 61
VERSUS } No. 300
MAVIS L. BERZONSKY,
Defendant. } DIVORCE

And Now, the 1st day of June 1963, the
report of the Master is acknowledged. We approve his findings and recommendations; except
as to _____

We, therefore, DECREE that Harry Berzonsky, Plaintiff be
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-
tracted between himself and Mavis L. Berzonsky, Defendant.

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 Harry Berzonsky,
Plaintiff his xxx costs expended in this action.

ATTEST

BY THE COURT

Carl E. Walker John H. Peck
Prothonotary President Judge

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

No. _____ Term 19 _____

Libellant

VERSUS

Respondent

DECREE

Attorney