

DOCKET NO. 174

NUMBER TERM YEAR

343 September 1961

Pearl Dotts

VERSUS

Henry Dotts, Jr., a/k/a

Harry Dotts, Jr.

Clearfield County, ss:

The Commonwealth of Pennsylvania, to WILLIAM U. SMITH, 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

Pearl Dotts

Plaintiff,  
and Henry Dotts, Jr., a/k/a Harry Dotts, Jr.

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 20th day of April, in the year of our Lord one thousand nine hundred and Sixty-two.

*Carl E. Walker*

Prothonotary

To the Honorable, the Judge, &c.:

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

*William U. Smith*   
SEAL  
COMMISSIONER.

No. 243 September Term. 1961

Pearl Dotts

VERSUS

Henry Dotts, Jr.

a/k/a Harry Dotts, Jr.

COMMISSION

John K. Reilly, Jr. Attorney.

IN THE COURTS OF COMMON PLEAS IN CLEARFIELD COUNTY, CLEARFIELD, PENNSYLVANIA

Pearl Dotts :  
Vs. : No. 343 September Term, 1961  
Henry Dotts, Jr., :  
a/k/a Harry Dotts, Jr. :

Docket Entries

OCTOBER 23, 1961, COMPLAINT IN DIVORCE filed. One copy certified to the Sheriff.

October 31, 1961, Sheriff's Return filed: NOW, October 24, 1961 sent a true and attested copy of the original Complaint in Divorce by Registered Mail, Return Receipt Requested, Addressee Only to Henry Dotts, Jr., Lamar, South Carolina, that being his last known address. Return receipt for Registered Mail marked "UNKNOWN" is hereto attached and made part of this return of Service. So Answers, Charles G. Ammerman, Sheriff.

March 21, 1962, One copy of Complaint certified to Attorney John K. Reilly, Jr.

March 26, 1962, Return filed:

NOW, this 24th day of March, 1962, I served the Defendant Henry Dotts, Jr., with the true and attested copy of the complaint in Divorce by sending to him said copy by registered mail, return receipt requested, deliver to addressee only. John K. Reilly, Jr. Attached is Return Receipt.

Now, April 20, 1962, By motion on the Watch Book, William U. Smith, Esquire, is appointed Master to take the testimony and report same with a form of Decree.

Certified from the records this  
24th day of April, 1962.

Carl J. Walker  
Prothonotary

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

PEARL DOTTs, PLAINTIFF \* No. 343 Sept. Term, 1961  
\*  
\*  
\*  
-VS-  
\*  
\*  
\*  
HENRY DOTTs, JR. a/k/a  
HARRY DOTTs, JR., DEFENDANT \* IN DIVORCE

C O M P L A I N T

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

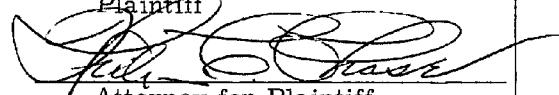
Pearl Dotts, Plaintiff, brings this action in divorce against Henry Dotts, Jr., otherwise Harry Dotts, Jr., Defendant, upon a cause of action whereof the following is the Complaint:

1. The plaintiff is Pearl Dotts and the Defendant is Henry Dotts, Jr., otherwise Harry Dotts, Jr.
2. The plaintiff's residence is Irvona, R.D., Pennsylvania.
3. The defendant's last known residence is Lamar, South Carolina.
4. The plaintiff has been a citizen of the Commonwealth of Pennsylvania, and has resided therein for a period of one whole year and upwards previous to the filing of this Complaint.
5. The plaintiff, Pearl Dotts, and the defendant, Henry Dotts, Jr., otherwise Harry Dotts, Jr., were married on the 22nd day of June, 1922, in the Borough of Ebensburg, County of Cambria and State of Pennsylvania, by Rev. John R. Thomas of the Congregational Church.
6. The plaintiff avers that in violation of the defendant's marriage vows and the laws of this Commonwealth, the said Henry Dotts, Jr., otherwise Harry Dotts, Jr., did on or about the 7th day of April, 1937, contract a marriage with Catherine Smeal in the Borough of Hollidaysburg, Blair County, Pennsylvania, without the benefit of obtaining a divorce from the bonds of matrimony contracted between the plaintiff and defendant as above stated, and the plaintiff above named was living at the time of the second marriage to Catherine Smeal.

7. A prior action of divorce was brought by the Plaintiff in Cambria County to No. \_\_\_ June Term, 1958 against the Defendant, Henry Dotts, Jr., otherwise Harry Dotts, Jr., but the same was discontinued by the Plaintiff due to lack of jurisdiction in the Court of Common Pleas of Cambria County, Pennsylvania.

8. This Complaint is not made out of levity or by collusion between Pearl Dotts, plaintiff and Henry Dotts, Jr., otherwise Harry Dotts, Jr.

WHEREFORE, the Plaintiff prays that she be freed and separated from the bonds of matrimony heretofore contracted between the said Plaintiff and Defendant and be granted a Decree of Divorce, a "vinculo matrimonii" dissolving the bonds of the said marriage.

Pearl Dotts  
Plaintiff  
  
Attorney for Plaintiff

STATE OF PENNSYLVANIA

COUNTY OF CLEARFIELD

Personally appeared before me, the undersigned officer, PEARL DOTTS, who, being duly sworn according to law, deposes and says that the facts contained in the foregoing Complaint are true and correct, and the action of Divorce herein prayed for is not brought out of levity nor by collusion between her and the Defendant and for the mere purpose of being freed from and separated from each other, but in sincerity and truth for the cause therein mentioned.

Pearl Dotts

Sworn and subscribed to before  
me this 21 day of October, 1961.

John J. Chase

PROTRUDORAT  
My Commission L.A.  
Oct Monday Dec 1961

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

Pearl Dotts  
vs  
Henry Dotts Jr. a/k/a  
Harry Dotts Jr.

No 343 Sept Term 1961

Complaint In Divorce  
By Registered Mail

Now, October 24, 1961 sent a true and attested copy of the original Complint In Divorce by registered Mail, Return Receipt Requested, Addressee Only to Henry Dotts Jr. Lamar, South Carolina., that being his last known address., Return Receipt for Registered Mail marked "UNKNOWN" is hereto attached and made part of this return of Service.

Costs Sheriff Ammerman \$8.74  
(Paid by ~~Atty. Chase~~)

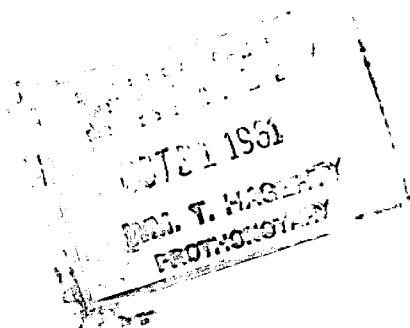
OK. 5983

### So Answers

Charles G. Ammerman  
Sheriff

Sworn to before me this 31st  
day of October 1961 A.D.

Wm. H. Dugering  
Prothonotary.



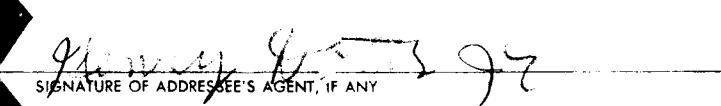
## #1-INSTRUCTIONS TO DELIVERING EMPLOYEE

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)

  
SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

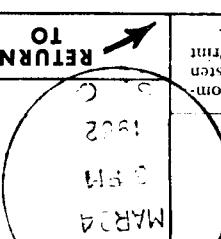
DATE DELIVERED

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

3-24-67

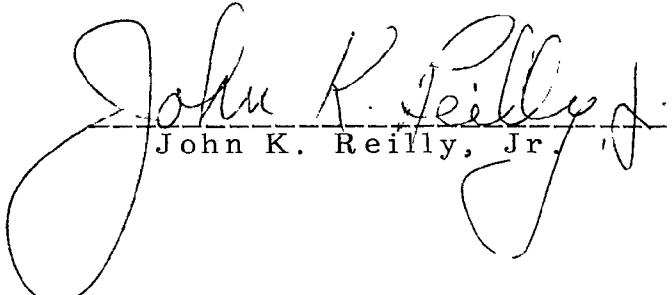
C55-16-71548-4 GPO

8561

POST OFFICE DEPARTMENT OFFICIAL BUSINESS PENALTY OF \$500 FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300	
INSTRUCTIONS: Fill in items below and complete blanks #1 on other side, when applicable. Moisture gluemed ends and attach to back of article. Print on front of article RETURN RECEIVER REQUESTED.	
REGISTERED NO.	NAME OF SENDER
613637	John K. Reilly, Jr.
STREET AND NO. OR P. O. BOX	P. O. Box 487
CITY, ZONE AND STATE	Clearfield, Pa.
INSURED NO.	CLEARFIELD NO.
 <p>TO RETRN</p>	

343 Sept 1961

NOW, this 24th day of March, 1962, I served the Defendant, Henry Dotts, Jr. with the true and attested copy of the complaint in divorce by sending to him said copy by registered mail, return receipt requested, deliver to addressee only.

  
John K. Reilly, Jr.

I swear and subscribe  
to before me this  
26<sup>th</sup> day of March 1962

Carl E. Walker

PROTHONOTARY  
My Commission Expires  
1st Monday Jan. 1966

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PEARL DOTTS

VS

No. 348 September Term, 1961

HENRY DOTTS, JR., a/k/a  
HARRY DOTTS, JR.

In Divorce

MASTER

TO:

Pearl Dotts  
c/o John K. Reilly, Jr., Esq.  
Clearfield, Pennsylvania

¶

You are hereby notified that I have been appointed Master in the divorce action of Pearl Dotts vs. Henry Dotts, Jr., a/k/a Harry Dotts, Jr., in the Court of Common Pleas of Clearfield County, Pennsylvania, to No. 348 September Term, 1961, and that I will hold a meeting, for the purpose of taking testimony at the office of Smith, Heath and Work, Esqs., 101 North Second Street, Clearfield, Pennsylvania, on Saturday, May 12, 1962, at 10 A.M., C.B.S.T., when and where you may attend with witnesses, if you so desire.

(u) M. J. Reilly Jr.  
Master

AND now, the 27 day of April, 1962, service is hereby accepted on behalf of Pearl Dotts, Plaintiff.

J. H. Reilly Jr.  
Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

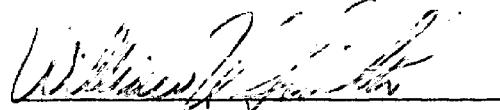
PEARL DOTT<sup>S</sup> :  
VS : No. 343 September Term, 1961  
HENRY DOTT<sup>S</sup>, JR., a/k/a : INDIVORCE  
HARRY DOTT<sup>S</sup>, JR. :  
INDIVORCE

AFFIDAVIT OF SERVICE

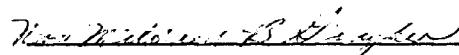
STATE OF PENNSYLVANIA :  
SS  
COUNTY OF CLEARFIELD :  
INDIVORCE

WILLIAM U. SMITH, being duly sworn according to law, deposes and  
says that he served the Defendant with Notice of Master's hearing by sending said notice  
to Defendant at his last known address, to-wit Lamar, South Carolina, by registered  
mail, return receipt requested, addressee only, postage prepaid. A copy of said Notice,  
together with postal receipts evidencing notice was received by the Defendant on April  
28, 1962, are attached hereto.

FURTHER deponent saith not.



Sworn and subscribed to  
before me this 19 day  
of May, 1962.



NOTARY PUBLIC  
My Commission Expires  
JANUARY 7, 1963

## I-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. John D. [Signature]*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

*Delivery to Addressee Only*

DATE DELIVERED

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

*May 15 1962*

C55-16-71548-4 GPO

G55-16-71548-4

POST OFFICE DEPARTMENT		OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE TO AVOID POSTMARK OFFICE		
DELIVERY NO. 1962 APR 28 3 PM		
INSTRUCTIONS: Fill in items below and con-		
tinue on reverse side when applicable. Moisten		
gummed ends and attach to back of article. Print		
please #1 on other side, when applicable. Print		
on front of article RETURN RECIPIENT REQUESTED.		
REGISTERED NO. <i>582</i> NAME OF SENDER		
CERTIFIED NO. <i>582</i> STREET AND NO. OR P. O. BOX		
INSURED NO. CITY, ZONE AND STATE		
Cleartfield, Pa.		

Form 3811 Jan. 1958

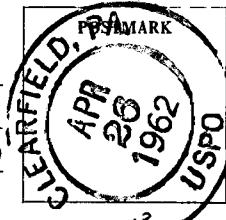
REGISTERED NO: 1580

Value \$ 7.00 Spec. del'y fee \$ .

Fee \$ .60 Ret. receipt fee \$ .10

Surcharge \$ . Rest. del'y fee \$ .50

Postage \$ .04  Airmail



Postmaster, By

From Smith Smith & Work  
P.O. Box 130, Cynth. Pa.  
To Dr. Henry Little Jr.  
Lancaster, S. Carolina

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

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

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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PEARL DOTTS :  
VS : No. 343 September Term, 1961  
HENRY DOTTS, JR., a/k/a : In Divorce  
HARRY DOTTS, JR. :  
:

MASTERS NOTICE

TO: Mr. Henry Dotts, Jr.  
Lancaster, South Carolina

You are hereby notified that I have been appointed Master in the divorce action of Pearl Dotts vs. Henry Dotts, Jr., a/k/a Harry Dotts, Jr., in the Court of Common Pleas of Clearfield County, Pennsylvania, to No. 343 September Term, 1961, and that I will hold a meeting for the purpose of taking testimony at the office of Smith, Smith and Work, Esqs., 101 North Second Street, Clearfield, Pennsylvania, on Saturday, May 19, 1962, at 10 A.M., E.D.S.T., when and where you may attend with witnesses, if you so desire.

---

Master

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PEARL DOTTTS :  
VS : No. 343 September Term, 1961  
HENRY DOTTTS, JR., a/k/a : IN DIVORCE  
HARRY DOTTTS, JR. :  
:

O R D E R

AND NOW, the 19th day of May, 1962, at the time and place set for hearing, counsel for the Plaintiff appeared and requested that the matter be continued until May 28, 1962, at 2 P.M. Defendant did not appear in person or by counsel.

There being no objection, the matter is herewith continued to May 28, 1962, at 2 P.M.

  
Master

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

PEARL DOTTS :  
VS : No. 343 September Term,  
: 1961  
HENRY DOTTS, JR., a/k/a : In Divorce  
HARRY DOTTS, JR. :

PETITION TO EXTEND TIME FOR MASTER'S HEARING:

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

The petition of John K. Reilly, Jr., Esq., respect-  
fully represents:

1. That petitioner is the attorney for the Plaintiff  
in the above captioned matter.
2. That William U. Smith, Esq., the Master ap-  
pointed by your honorable court in the above captioned  
matter, scheduled the hearing for May 19, 1962, at 10:00  
A.M.
3. That because of circumstances beyond the con-  
trol of the plaintiff or her attorney the plaintiff was  
unable to attend the hearing causing the Master to con-  
tinue it to a later date.
4. The Plaintiff will be unable to attend the hearing  
until after the thirty (30) days allowed the Master for  
hearing have lapsed because of illness.

WHEREFORE, petitioner prays the Honorable Court  
to grant an extention of time in which the Master may  
hold his hearing, and allow him until June 7, 1962 to  
hold said hearing.

*J. K. Reilly, Jr., Esq.*  
John K. Reilly, Jr., Esq.  
Attorney for the Plaintiff

COMMONWEALTH OF PENNSYLVANIA : ss,  
COUNTY OF CLEARFIELD : :

JOHN K. REILLY, JR., ESQ., being duly sworn according to law deposes and says that the facts set forth in the foregoing Petition are true and correct to the best of his knowledge, information and belief.

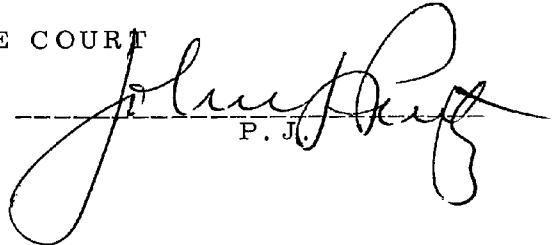
*John K. Reilly, Jr.*

Sworn before me  
this 24th day  
of May 1962  
*Carl E Walker*

PROTHONOTARY  
My Commission Expires  
1st Monday Jan. 1966

AND NOW, May 24, 1962, upon consideration of the foregoing facts in the Petition, William U. Smith, Esq., Master in the within mentioned divorce case, is hereby granted an extention of time in which to hold his Master's Hearing until June 7, 1962.

BY THE COURT



John J. Smith  
P. J.

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

No. 343 September Term, 1961

IN DIVORCE

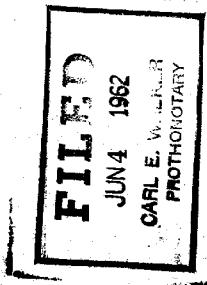
PEARL DOTT

5

HENRY DOTT,<sup>JR.</sup>, a/k/a  
HARRY DOTT,<sup>JR.</sup>

**MASTER'S REPORT  
UNCONTESTED**

Master's Fee \$85.00



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

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PEARL DOTT

VS : No. 343 September Term, 1961  
HENRY DOTT, JR., a/k/a : IN DIVORCE  
HARRY DOTT, JR. :  
:

MASTER'S REPORT

TO THE HONORABLE JOHN J. PENTZ, PRESIDENT JUDGE:

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

SCHEDULE

1. The Complaint in Divorce: Presented and filed on October 23, 1961.
2. Service of the Complaint: Service of the Complaint was made upon the Defendant by registered mail, return receipt requested, addressee only, at his last known address, Lamar, South Carolina, on March 24, 1962.
3. Appointment of Master: William U. Smith was appointed Master on April 20, 1962. On May 24, 1962, a Petition and Order were signed extending the time for the Master to hold a hearing until June 7, 1962.
4. Date and Place Fixed for Hearing: The hearing in this case was scheduled for May 19, 1962 at 10 A.M., at the office of the Master, 101 North Second Street, Clearfield, Pennsylvania. The Defendant did not appear at that time in person or by counsel, and upon motion of counsel for the Plaintiff, the hearing was continued until May 28, 1962, at 2 P.M.
5. Notice of Master's Hearing: Notice of Master's Hearing was served upon the Defendant by registered mail, return receipt requested, addressee only, at his last known address, Lamar, South Carolina, on April 28, 1962.

6. Master's Hearing: Held at the time and place aforesaid. Pearl Dotts, the Plaintiff, appeared, together with her attorney, John K. Reilly, Jr. The Defendant did not appear in person or by counsel.

CAUSE OF DIVORCE

Desertion.

FINDINGS OF FACT

1. Marriage: The Plaintiff and Defendant were married on June 22, 1922, by Rev. John R. Thomas of the Congregational Church in Ebensburg, Pennsylvania.

2. Residence and Citizenship: The Plaintiff and Defendant are citizens of the United States, and at the time of the hearing the Plaintiff was residing in Irvona, Clearfield County, Pennsylvania, and the Defendant was residing in Lamar, South Carolina. Plaintiff has resided in Pennsylvania for a period in excess of 10 years prior to the date of the hearing.

3. Ages and Occupation: The Plaintiff is 58 years old and a house-keeper. The Defendant is 71 years old and a laborer.

4. Children: No children were born of this marriage.

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

6. Findings on the Merits: The grounds for divorce alleged in the Complaint are desertion. The Master finds as follows:

(a). Commencing on or about August 1, 1938, the Defendant did wilfully and maliciously absent himself from habitation with the Plaintiff without reasonable cause.

(b). The Defendant has persisted in this willful and malicious absence from the common habitation of the parties for a period of almost 24 years.

(c). The divorce proceeding was not the result of collusion between the Plaintiff and Defendant.

### DISCUSSION

The grounds alleged are desertion. The Defendant did not appear by counsel or in person. The Defendant separated himself without any apparent reason or cause from the Plaintiff on August 1, 1938. Thus, there has been a continuous separation for a period approximating 24 years. As a further indication of Defendant's intentions, there was submitted to the Master a certified copy of a second albeit invalid marriage by the Defendant. There is no evidence whatsoever that the Plaintiff is anything but an injured and innocent spouse. There is no evidence that the Defendant has at any time made any effort to provide a home for his wife or otherwise discharge his marital duties.

No clearer case of a willful, malicious and unjustified desertion for a period approximating 24 years could be shown. This constitutes desertion and is grounds for divorce in the Commonwealth of Pennsylvania - Clark vs. Clark, 172 Pa. Superior 5, (1953); Carr vs. Carr, 160 Pa. Superior 124, (1947).

Therefore, the Master finds that the Defendant did willfully and maliciously, and without cause, desert the Plaintiff on or about August 1, 1938. The Master also finds the Defendant has continued this course of conduct for a period in excess of two years, and that the Plaintiff by the record appears to be an innocent and injured spouse.

### CONCLUSIONS OF LAW

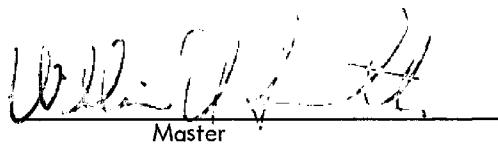
1. The Court has jurisdiction of the subject matter and the parties.
2. The Defendant did willfully and maliciously desert and absent himself from the Plaintiff, an innocent and injured spouse, without reasonable cause from August 1, 1938, and continued to absent himself to date - all of which is contrary to Section 10 (1) (d) of the Act of May 2, 1929, P.L. 1237, 23 Purdon's, Section 10 (1) (d).
3. The proceedings conform to the Rules of Court and requirements of law.

4. This divorce proceeding was not the result of collusion between the Plaintiff and Defendant.

RECOMMENDATION

The Master recommends a Decree granting Pearl Dotts a divorce a vincula matrimonii from Henry Dotts, Jr., a/k/a Harry Dotts, Jr., a form of Decree being hereto attached.

Respectfully submitted,

  
\_\_\_\_\_  
Master

In the Court of Common Pleas of Clearfield County, Pennsylvania

\*\*\*\*\*

PEARL DOTT<sup>S</sup> \_\_\_\_\_ } Of \_\_\_\_\_ September \_\_\_\_\_ Term, 19 61  
VERSUS \_\_\_\_\_ } No. \_\_\_\_\_ 343 \_\_\_\_\_  
HENRY DOTT<sup>S</sup>, JR., a/k/a/ \_\_\_\_\_  
HARRY DOTT<sup>S</sup>, JR. \_\_\_\_\_ }  
DIVORCE

And Now, the 11<sup>th</sup> day of June 19 62, the  
report of the Master is acknowledged. We approve his findings and recommendations; except  
as to \_\_\_\_\_

We, therefore, DECREE that Pearl Dotts be  
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-  
tracted between ~~xxxxxx~~<sup>herself</sup> and Henry Dotts, Jr., a/k/a Harry Dotts, Jr.

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 \_\_\_\_\_

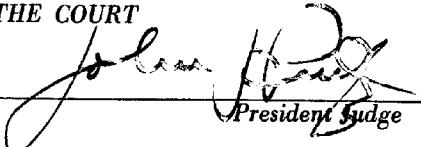
The Prothonotary is directed to pay the Court costs, including Master's fees, as noted  
herein, out of the deposits received and then remit the balance to the libellant. No Decree  
to issue until the costs be fully paid. We do further award to the said Pearl Dotts \_\_\_\_\_

~~xxxxx~~  
her costs expended in this action.

ATTEST

BY THE COURT

\_\_\_\_\_  
Prothonotary

  
President Judge

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

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

— — — — — *Libellant*

VERSUS

Respondent

## DECREE

Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

PEARL DOTTTS, PLAINTIFF	:	
-VS-	:	No. 343 September Term, 1961
	:	
HENRY DOTTTS, JR. a/k/a	:	
HARRY DOTTTS, JR., Defendant	:	IN DIVORCE

TESTIMONY TAKEN AT HEARING BEFORE THE  
MASTER, WILLIAM U. SMITH, ESQ. ON  
MONDAY, MAY 28, 1962, AT 2:00 P. M.  
AT THE OFFICE OF SMITH, SMITH & WORK  
101 NORTH SECOND STREET, CLEARFIELD, PA.

APPEARANCES: Mrs. Pearl Dotts, the Plaintiff, Lamar Dotts a  
witness for the Plaintiff. The Defendant did not  
appear in person or by Counsel.

PEARL DOTTTS, being duly sworn, testified as follows:

BY MR. REILLY:

Q. Mrs. Dotts, what is your full name?

A. Pearl Noal Dotts

Q. Your full name is Margaret Pearl Noal Dotts, is that  
right?

A. That is right.

Q. What is your address Mrs. Dotts?

A. My address is Irvona, Irvona, Pa.

Q. Mrs. Dotts, what is your age and occupation?

A. I'm a house keeper and I'm 58 years old.

Q. Mrs. Dotts, what is the age and occupation of your  
husband, Mr. Henry Dotts?

A. 71, he will be 72 in November and I guess he is just  
a laborer, that's all.

Q. Mrs. Dotts, when did you marry Mr. Dotts?

A. June 22nd., 1922.

Q. Where were you married?

A. Ebensburg, Pa.

Q. Who married you?

A. John R. Thomas in the Congregational Church.

Q. Mrs. Dotts following your marriage where did you live?

A. In a little northern country in Cambria County, Penna.

Q. Did you and your husband set up housekeeping there?

A. Yes we did.

Q. How long did you live together?

A. About six years.

Q. Did he leave you at that time?

A. No, he left on and off and finally he left, and I went to my home and he went to his home.

Q. When did you finally separate?

A. In the 1st. of August in 1938.

Q. Was there any reason for this separation?

A. Well, he wanted me to stay on the farm and do business for him, and give him all the money. He didn't want to stay there he only came for the money and that was it.

Q. Mrs. Dotts, are you aware that your husband is married again?

A. Yes I am.

Q. Do you know when he was married again?

A. He was married April 8, 1937.

Q. Do you know who he married?

A. I do, Catherine Smeal.

Q. Mrs. Dotts, how did you find out about your husband's second marriage?

A. Through a friend of mine.

Q. Is this friend a man or woman?

A. A woman.

Q. Then she told you of the second marriage?

A. She did.

Q. Now at the time your husband married again, were you divorced from him?

A. No.

Q. Was he still legally married to you?

A. He was.

Q. Now, have you heard from your husband since he married Catherine Smeal?

A. I saw him several times, I never had direct contact with him, but I have saw him different times in stores.

Q. Did you and your husband have any children Mrs. Dotts?

A. No we didn't.

Q. Was there ever any previous divorce action filed?

A. Yes there was.

Q. Did you file it?

A. Yes I did.

Q. Where was this filed?

A. In Cambria County.

Q. Do you know whether this has been discontinued or not?

A. It has been.

Q. It has been discontinued?

A. Yes.

Q. Are either of you or your husband in the armed forces, Mrs. Dotts?

A. No.

Q. Is there any agreement between you and your husband as to bringing this divorce action?

A. I had applied for the divorce and I had a hard time getting him to sign the papers.

Q. There has been no collusion?

A. No.

Q. Are you and your husband both citizens of Pennsylvania?

A. Yes we are.

Q. How long have you lived in Clearfield County?

A. Since 1933.

Q. Mrs. Dotts, I show you an application for a marriage license issued in Blair County, and I ask you if the signature shown at the top of this marriage license is that of your husband?

A. To the best of my knowledge it is.

BY MR. REILLY:

Mr. Master I would like to admit this application of Marriage License into evidence, and I shall also like to offer into evidence this certificate of marriage issued in Holidaysburg, Blair County, Pennsylvania, for the marriage between Henry Dotts, Jr., and Catherine Smeal.

BY MASTER:

The foregoing documents were admitted as Plaintiff's Exhibit 1, being the application for marriage license bearing No. 42416 and Plaintiff's Exhibit 2 being a certificate of marriage signed by Henry Nichols, Clerk under date of May 13th., 1958, indicating the marriage between Henry Dotts, Jr., and Catherine Smeal.

BY MR. REILLY:

Q. Mrs. Dotts, you married Mr. Dotts under the name of Harry Dotts, is that correct?

A. Yes.

Q. And the marriage license and application issued in Blair County to Henry Dotts and Catherine Smeal. Do you know whether or not your husband used a different name here?

A. The only thing I knew him by was Harry, then when I found out he was married and Henry was his real name..

Q. Mrs. Dotts, I show you a signed and sworn statement from South Carolina and ask if that is your husband's signature?

A. Yes it is

Mr. Master, I would like to introduce this into evidence as a sworn statement signed by the defendant in this action whereby he admits having married without a divorce.

BY MASTER:

The foregoing affidavits signed by Henry Dotts, Jr., notarized May 21st., 1962, was admitted as Plaintiff's Exhibit 3.

Q. Was the previous divorce action commenced in Cambria County discontinued.

A. Yes.

## APPLICATION FOR MARRIAGE LICENSE

42416

COMMONWEALTH OF PENNSYLVANIA } ss:  
COUNTY OF BLAIR

We, the undersigned, in accordance with the statements hereinafter contained, the facts set forth wherein we and each of us do solemnly swear are true and correct to the best of our knowledge and belief, do hereby make application to the Clerk of the Orphans' Court of Blair County, Pennsylvania, for a license to marry.

Henry Dotts Jr.  
Catherine Smeal

1. Full name and surname	Man: Henry Dotts Jr. Woman: Catherine Smeal
2. Relation of parties by blood or marriage	Man: Son Woman: Daughter
3. Color	Man: White Woman: White
4. Occupation	Man: Timber Dealer Woman: Of Home
5. Birthplace	Man: Glenn Dale, Pa. Woman: Pennsylvania
6. Residence	Man: Glenn Dale, Pa. Woman: Glenn Dale, Pa.
7. Age	Man: 43 Woman: 33
8. Consent of Parents or Guardian	Man: _____ Woman: _____
9. Previous Marriage	Man: Yes Uncle Woman: Never
10. Date of death or divorce of former wife or husband	Man: Death, Sept 1932 Woman: _____
11. Is applicant afflicted with any transmissible disease?	Man: No Woman: No
12. Name and surname of parents	Man's Father: Henry Dotts, Sr. Man's Mother: Mary Dotts Woman's Father: Frank Smeal Woman's Mother: Clara Smeal
13. Maiden name of mother	Man: Smeal Woman: Russell
14. Residence of parents	Man's Father: Glenn Dale, Pa. Man's Mother: Deceased Woman's Father: Deceased Woman's Mother: Deceased
15. Color of father and mother	Man: White Woman: White
16. Occupation of parents	Man's Father: Deceased Man's Mother: Deceased Woman's Father: Deceased Woman's Mother: Deceased
17. Birthplace of parents	Man's Father: Philadelphia, Pa. Man's Mother: Deceased Woman's Father: Philadelphia, Pa. Woman's Mother: Philadelphia, Pa.
18. Is applicant an imbecile, epileptic, of unsound mind, or under guardianship as person of unsound mind, or under influence of any intoxicating liquor or narcotic drug?	Man: No Woman: No
19. Has the man, within five years, been an inmate of any county asylum or home for indigent persons?	Man: No Woman: No
20. Is the man physically able to support a family?	Yes

Sworn and subscribed before me this 8 day of April 1937 A. D. 1937

Official title: John S. Elliott, Jr.

My Commission expires: June 1937

Official Seal

I, C. I. Lewis, hereby certify that on the 7th day of April  
One Thousand Nine Hundred and Thirty-seven at Hollidaysburg, Pa.  
Henry Dotts, Jr and Catherine Smeal  
were by me united in marriage in accordance with license issued by the Clerk of the Orphans' Court of Blair  
County, Pa., numbered 42416

C. I. Lewis

~~XXXX~~, Justice ~~XXXXXX~~

From the Record certified this 13th day of May 19 58.

Henry o Nickle

Clerk

*"Exhibit 2"*

STATE OF SOUTH CAROLINA

COUNTY OF

HENRY DOTT S, JR., being duly sworn according to law, deposes and says that the facts herein contained are true and correct to the best of his knowledge, information and belief, and that he married one Pearl Noal using the name of Harry Dotts, Jr., on the 22nd day of June, 1922 in the Borough of Ebensburg, Cambria County, Pa., and later without benefit of divorce, married one Catherine Smeal in 1937 using the name of Henry Dotts, Jr.

Henry Dotts Jr

Sworn and subscribed to before

me this 21 day of May, 1962

E. J. Haile

LAW OFFICES OF  
CHASE & CHASE  
KEYSTONE BUILDING  
CLEARFIELD, PA.

"Exhibit 3"