

DOCKET NO. 173

NUMBER	TERM	YEAR
<u>445</u>	<u>February</u>	<u>1961</u>

Scott T. Lingle

VERSUS

Martha B. Lingle

Clearfield County, ss:

The Commonwealth of Pennsylvania, to Wm. T. Davis, 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

..... Scott T. Lingle Plaintiff ,
and

..... Martha B. Lingle 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 1st day of July, in the year of our Lord one thousand nine hundred and sixty-one

Wm T. Haggerty
Prothonotary

To the Honorable, the Judge, &c.:

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

William T. Davis 
COMMISSIONER.

No. 445 February Term. 1961

SCOTT T. LINGLE

VERSUS

MARTHA B. LINGLE

COMMISSION

John B. Gates
Attorney.

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

SCOTT T. LINGLE : No. 445 February Term, 1961
VS. :
MARTHA B. LINGLE : IN DIVORCE:
:

DOCKET ENTRIES

APRIL 6, 1961, COMPLAINT IN DIVORCE filed: One copy certified to the Sheriff.

April 6, 1961, On praecipe filed by John B. Gates, Attorney, service by publication directed.

April 24, 1961, Sheriff's Return, filed:

NOW, April 22, 1961, served the within Complaint In Divorce upon Martha B. Lingle by advertising the printed notice hereto attached in the Clearfield Progress, a newspaper of general circulation, published in the City of Clearfield, Pa., on the dates mentioned in the affidavits of the publisher, hereto attached and made part of this return of service.

ALSO, April 5, 1961, sent a true and attested copy of the original Complaint In Divorce by registered mail, addressee only, return receipt requested, to Martha B. Lingle, Goshen Township, R.D. 2, Clearfield, Penna. that being her last known address. Registered Letter, marked "Moved, Left no Address", is hereto attached and made part of this return of service. So answers, Charles G. Ammerman, Sheriff.

MAY 17, 1961, On Praecipe filed, Clarence R. Kramer, Attorney, enters his appearance for the Defendant.

NOW, July 1, 1961, By motion on the watch-book, Wm. T. Davis, Attorney, is appointed Master to take the testimony and report the same with form of Decree.

Certified from the record this 6th day of July, A.D., 1961

Wm T. Hager
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCOTT T. LINGLE, :
: No. 445, February Term, 1961
-vs- :
: IN DIVORCE
: :
MARTHA B. LINGLE :
:

I. SCHEDULE:

April 6, 1961, Complaint in Divorce filed.

April 6, 1961, On praecipe filed by John B. Gates, Esq., service by publication directed.

April 24, 1961, Sheriff's return filed stating that service of Complaint in Divorce was served on the defendant by advertising in the Clearfield Progress. Affidavit of Publisher states that Notice was advertised on April 8, April 15 and April 22, 1961.

ALSO, April 5, 1961, true and attested copy of the original Complaint in Divorce sent by registered mail, addressee only, return receipt requested, to Martha B. Lingle, Goshen Township, R.D. 2, Clearfield, Pennsylvania, that being her last known address. Registered Letter was returned by Postal Authorities and marked "Moved, Left no Address."

May 17, 1961, On praecipe filed, Clarence R. Kramer, Attorney, entered appearance for the defendant.

July 1, 1961, By motion on the Watch-Book, William T. Davis was appointed Master.

July 8, 1961, Service of Notice of Master's Hearing was accepted by the Plaintiff and his attorney.

July 14, 1961, Service of Notice of Master's

Hearing was accepted by Clarence R. Kramer, Attorney for Martha B. Lingle, the Defendant. Service of Notice of Master's Hearing was also accepted by Martha B. Lingle, the Defendant.

July 29, 1961, Master's Hearing held in the office of the Master in Room 25 of the Clearfield Trust Company Building, Clearfield, Pennsylvania, as per notice, to wit, July 29, 1961 at 9:30 o'clock, A. M., E.D.S.T. There appeared John B. Gates, Attorney for the Plaintiff; Scott T. Lingle, the Plaintiff and Thomas Lingle, witness for the Plaintiff. The Defendant did not appear in person nor was she represented by counsel at the hearing.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCOTT T. LINGLE :
-vs- : No. 445 February Term, 1961
MARTHA B. LINGLE :

COMPLAINT IN DIVORCE

NOW COMES the Plaintiff, by his attorney, John B. Gates, and brings this Complaint in Divorce against the above named Martha B. Lingle, upon a cause of action whereof the following is a statement:

1. The name of the Plaintiff is Scott T. Lingle.
2. The name of the Plaintiff is Martha B. Lingle.
3. The Plaintiff resides in Goshen Township, R. D. #2, Clearfield, Clearfield County, Pennsylvania
4. The Defendant is a citizen of the United States of America and her last known address was Goshen Township, R.D. #2, Clearfield, Clearfield County, Pennsylvania.
5. The Plaintiff has resided in the Commonwealth of Pennsylvania for the past twenty years and has also been a bona fide resident of Clearfield County, Pennsylvania for at least the past twenty years.
6. The Plaintiff and Defendant were married on December 25, 1936 by Reverend Rowe, a Christian and Missionary Alliance minister, at Clearfield, Pennsylvania.

7. The Defendant has offered such indignities to the person of the Plaintiff, who is the injured and innocent spouse, as to render his condition intolerable and his life burdensome.

8. That the following named children have been born to this union and reside as follows:

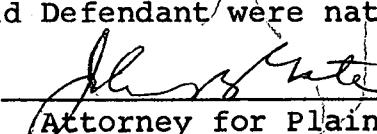
- a. Thomas D. Lingle, age 22 years, Clearfield, Pa.
- b. Ronald L. Lingle, age 21 years, R.D. #2 Clearfield, Pa.
- c. Barry B. Lingle, age 17 years, R.D. #2 Clearfield, Pa.
- d. Judith A. Lingle, age 15 years, R.D. #2 Clearfield, Pa.
- e. Gary Lingle, age 12 years, R.D. #2 Clearfield, Pa.
- f. Linda K. Lingle, age 10 years, R.D. #2 Clearfield, Pa.

9. That the Plaintiff and the Defendant have entered into no collusive arrangements regarding this action.

10. That neither of the parties, the Plaintiff and the Defendant, has ever applied in this or any other Court for a divorce from the other party to this action or for an annulment of marriage.

11. There is no jointly held property, either real or personal.

WHEREFORE, the Plaintiff respectfully prays your Honorable Court that he be granted an absolute divorce, separating himself from the said Martha B. Lingle, the Defendant, as if he had never been married, or as if the said Defendant were naturally dead.


John R. Steele
Attorney for Plaintiff

STATE OF PENNSYLVANIA :

: SS:

COUNTY OF CLEARFIELD :

SCOTT T. LINGLE, being sworn according to law, deposes and states that the facts set forth in the foregoing Complaint in Divorce are true and correct to the best of his information, knowledge and belief.

Scott T. Lingle

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

John T. Hargrave

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1962

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 1 February Term, 1961
IN DIVORCE

SCOTT T. LINGLE

-vs-

MARTHA B. LINGLE

COMPLAINT IN DIVORCE

TO WITHIN NAMED DEFENDANT:

You are hereby notified
to plead to the enclosed
Complaint within twenty
(20) days from the date
of service hereof.

JOHN B. GATES, ESQ.
Attorney for Plaintiff

BY

John B. Gates

APR 26 1961

JOHN B. GATES

ATTORNEY

PA

CLEARFIELD, PA

4/1/61

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FILED

COMMERCIAL PRINTING CO., CLEARFIELD, PA.
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IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCOTT T. LINGLE

: No. 445 February Term, 1961

-VS-

:

MARTHA B. LINGLE

:

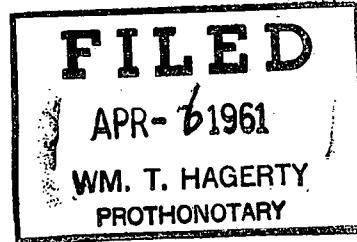
P R A E C I P E

TO WILLIAM T. HAGERTY, Prothonotary:

Direct service of the complaint by publication.

J. R. Gates

Attorney for Plaintiff



In the court of Common Pleas Of Clfd County, Pa.

Scott T Lingle
vs
Martha B Lingle

No 445 Feb Term 1961
Complaint In Divorce
Service by Publication Directed

(Sheriff's Return)

Now, April 22, 1961 served the within Complaint In Divorce upon Martha B Lingle by advertizing the printed notice hereto attached in the Clearfield Progress, a newspaper of general circulation, published in the city of Clearfield, Pa. on the dates mentioned in the affidavit of the publisher. hereto attached and made part of this return of service,

ALSO April 5, 1961 sent a true and attested copy of the original Complaint In Divorce by registered mail, addressee only return receipt requested to Martha B Lingle. Goshen Township. RD. 2, Clfd, Pa. that being her last known address. Registered Letter Marked "MOVED", Left no address" is hereto attached and made part of this return of service.

CK. 5744

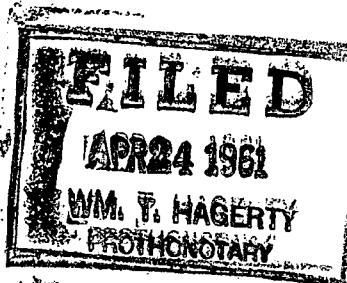
Costs Sheriff Ammerman \$7.18
Clfd Progress \$5.40 - CK. 5745
(Paid By Prothonotary)

So Answers

Charles G. Ammerman
Charles G. Ammerman
Sheriff

Sworn to before me this 24th
day of April 1961 A.D.

W. T. Hagerty
Prothonotary



DATE	INCHES.	LINES	WORDS
1			
2			
3			
4			
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7			
8		45	
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29			
30			
31			
TOTAL		135	

THE N^o 15745
 PROGRESS

CLEARFIELD, PA. April 8, 1961 X195

CHARLES G. AMMERMAN, SHERIFF
 c/o Sheriff's Office
 Clearfield County Courthouse
 Clearfield, Pennsylvania

To Accounts Rendered

Inches @

Lines @

135 Words @ .04

\$ 5 40

Miscellaneous

To Martha B. Lingle:

You are notified that
 Scott T. Lingle, the plaintiff,
 has commenced an action of
 Divorce against you, etc.

Commonwealth of Pa., County
of Clearfield,

To Martha B. Lingle.

You are notified that Scott T. Lingle, The plaintiff has commenced an action of Divorce against you which you are required to defend.

CHARLES G. AMMERMAN,

Sheriff.

JOHN B. GATES, Atty. at Law,

Clearfield, Pa.

4-8-15-22-b

PROOF OF PUBLICATION

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

On this 22nd day of April, A. D. 1961, before me, the subscriber, a Notary Public in and for said County and State, personally appeared William C. Plummer, who being duly sworn according to law, deposes and says that he is the Advertising Manager of the Clearfield Progress, and designated agent of the Publisher of the Clearfield Progress, a daily newspaper published at Clearfield, in the County of Clearfield and State of Pennsylvania, and established April 5, 1913, and that the annexed is a true copy of a notice or advertisement published in said publication in the regular issues of

April 8, 15 and 22, 1961. And that the affiant is not interested in the subject matter of the notice or advertising, and that all of the allegations of this statement as to the time, place, and character of publication are true.



Sworn and subscribed to before me the day and year aforesaid.

John Meeske Jr. Notary
John Meeske Jr. NOTARY PUBLIC
Notary Public NOTARY PUBLIC
My Commission Expires March 20, 1963
Clearfield County
Clearfield, Penna. Clearfield, Pa.

April 7, 1961

Clearfield Progress, (Please publish once a week for
Three successive weeks, Beginning
April 8, 1961)

Commonwealth Of Pa.
County Of Clearfield,

To Martha B. Lingle:

You are notified that Scott T. Lingle, The plaintiff
has commenced an action of Divorce against you which you
are required to defend.

Charles G. Ammerman
Sheriff

John B. Gates
Atty At Law
Clearfield, Pa.

April 7, 1961

Clearfield Progress, (Please publish once a week for
Three successive weeks, Beginning
April 8, 1961)

Commonwealth Of Pa.
County Of Clearfield,

To Martha B. Lingle:

You are notified that Scott T. Lingle, The plaintiff
has commenced an action of Divorce against you which you
are required to defend.

Charles G. Ammerman
Sheriff

John B. Gates
Atty At Law
Clearfield, Pa.

Form of Publication

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCOTT T. LINGLE

:

-vs-

:

No. 445 February Term, 1961

MARTHA B. LINGLE

:

To MARTHA B. LINGLE:

You are notified that SCOTT T. LINGLE, the Plaintiff,
has commenced an action of divorce against you which you are
required to defend.

Charles G. Ammerman
Sheriff of the County of Clearfield

John S. Gates
Attorney for Plaintiff

County National Bank Building
Clearfield, Pennsylvania



OFFICE OF THE
Sheriff of Clearfield County
CLEARFIELD, PENNA.



REASON CHECKED
Unclaimed.....
Unknown.....
For better delivery.....
Moved.....
No sign.....

REGISTERED MAIL
RETURN RECEIPT REQUESTED

REGISTERED
1610

RETURN RECEIPT REQUESTED

Reurned
To Writer
REASON CHECKED
Unknown.....
For better delivery.....
Moved, Left no address.....
No such office in state.....

Addressee Only
Martha B. Lingle
Goshen Township
R.D. 2.
Clearfield, Pa.

R 2
R

To Addressee Only



Scott T. Lingle

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

VERSUS

Martha B. Lingle

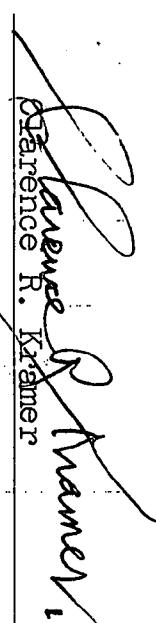
No. 445 Term February 19 61

To William T. Hagarty

Prothonotary.

Sir: Enter MY appearance for Martha B. Lingle

in above case.


Lawrence R. Kramer

Attorney for Martha B. Lingle

No. 445 Term February 1961

Scott T. Lingle

vs.

Martha B. Lingle

APPEARANCE

For Martha B. Lingle



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCOTT T. LINGLE :
-vs- : No. 445 February Term, 1961
MARTHA B. LINGLE : IN DIVORCE

NOTICE OF MASTER'S HEARING

TO: Scott T. Lingle
R. D. #2
Clearfield, Pennsylvania and
John B. Gates, Esq.
Attorney for Scott T. Lingle
Clearfield, Pennsylvania

You are hereby notified that I have been appointed Master to take testimony in the above entitled case brought against Martha B. Lingle and that I will hold a hearing on Saturday, July 29, 1961 at 9:30 o'clock A. M., E.D.S.T., in Room 25 of the Clearfield Trust Company Building, Clearfield, Pennsylvania, for the purpose of taking testimony, at which time and place you may appear with your witnesses and be heard.

William T. Davis
William T. Davis, Master

NOW, this 8 day of July, 1961, service of Notice of Master's Hearing in the above entitled divorce action is hereby accepted.

John B. Gates
John B. Gates, Attorney for
Scott T. Lingle, Plaintiff

Scott T. Lingle
Scott T. Lingle, Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCOTT T. LINGLE :
: No. 445, February Term, 1961
-vs- :
: IN DIVORCE
MARTHA B. LINGLE :
:

TO: Martha B. Lingle and
Clarence R. Kramer, Esq.
Attorney for Martha B. Lingle,
Clearfield, Pennsylvania

You are hereby notified that I have been appointed Master to take testimony in the above entitled case brought by Scott T. Lingle against Martha B. Lingle and that I will hold a hearing on Saturday, July 29, 1961 at 9:30 o'clock, A.M., E.D.S.T., in Room 25 of the Clearfield Trust Company Building, Clearfield, Pennsylvania, for the purpose of taking testimony, at which time and place you may appear with your witnesses and be heard.

William T. Davis
WILLIAM T. DAVIS, MASTER

NOW, this 14th day of July, 1961, service of Notice of Master's Hearing in the above entitled divorce action is hereby accepted.

Clarence R. Kramer
Clarence R. Kramer, Attorney for
Martha B. Lingle, Defendant

NOW, this 14th day of July, 1961, service of Notice of Master's Hearing in the above entitled divorce action is hereby accepted.

Martha B. Lingle
Martha B. Lingle, Defendant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCOTT T. LINGLE :
: No. 445, February Term, 1961
vs :
: IN DIVORCE
: :
MARTHA B. LINGLE :
: :

MASTER'S REPORT

The undersigned Master, appointed by your Honorable Court to take the testimony of the witnesses in the above entitled case and return the same, together with form of Decree, respectfully reports as follows:

II. SERVICE OF PROCESS:

The Complaint in Divorce was served upon Martha B. Lingle, the Defendant, by advertising the same in the Clearfield Progress, a newspaper of general circulation published in the Borough of Clearfield, Clearfield County, Pennsylvania, by the Sheriff of Clearfield County on April 8, April 15 and April 22, 1961. Affidavit of Publisher is attached to this Report. Service was also attempted by Registered Mail on April 5, 1961 and said letter was returned to the Sheriff of Clearfield County maked "Moved, Left no Address".

III. CAUSE OF DIVORCE:

Indignities.

IV. FINDINGS OF FACT:

1. MARRIAGE: The plaintiff and defendant were

this marriage, to wit: Thomas D. Lingle, who is now 23 years of age; Ronald L. Lingle 21 years of age; Barry B. Lingle, 17 years of age; Judith A. Lingle, 15 years of age; Gary Lingle, 12 years of age and Linda K. Lingle, 10 years of age. All of these children except Thomas D. Lingle reside with their father at R.D. #2, Clearfield, Pennsylvania. Thomas Lingle who is now married resides at 530 South Third Street Clearfield, Pennsylvania. Ronald L. Lingle the second son is also married but has not yet gone to housekeeping.

6. ARMED FORCES: The plaintiff is not a member of the armed forces of the United States of America and has never been in the armed forces. The defendant is not a member of the armed forces and has never been a member of the armed forces of the United States. She was seen in Clearfield several weeks ago by her son Thomas Lingle and he stated in his testimony that she was not wearing a uniform at the time.

7. FINDINGS ON THE MERITS:

(a) The parties were lawfully married on December 25, 1936 by Reverend Rowe, a Christian and Missionary Alliance minister, at Clearfield, Pennsylvania.

(b) Both parties to this divorce, after their marriage, resided in and about Clearfield County having resided at Shawville, Plymptonville, Clover Hill, McBride Street and Goshen, R.D., the parties having lived at the latter residence from 1952 to 1960 when the defendant permanently left the home of the plaintiff.

(c) The Master finds as a fact that the defendant kept company with men other than her husband; left the family home on numerous occasions and stayed away for extended periods; indicated settled hate and estrangement, indifference, continuous finding of fault, fits of anger and was ill mannered toward relatives of the plaintiff and that the conduct of the defendant made the plaintiff's life intolerable.

8. DISCUSSION:

The ground on which the plaintiff bases his case is indignities. This ground for divorce in Pennsylvania has been defined many times and it has been held that it consists of various acts of the defendant which are continuous and show disdain and settled hate and estrangement toward the plaintiff which course of conduct is of such an extent that the condition of the plaintiff becomes intolerable and life is burdensome, and that the mental and physical well being of the plaintiff is impaired.

After going over the testimony, which was in part corroborated by the plaintiff's son, the Master finds that throughout the married life of the parties the defendant by her indifference, continuous complaining and findings of fault, fits of anger and her general attitude toward the plaintiff and her frequent consorting with other men manifested a feeling toward the plaintiff which amounted to a course of conduct calculated to render the life of the plaintiff burdensome and intolerable.

The plaintiff's testimony and that of his son

was not controverted. The acts of the defendant clearly indicate that there was little if any attempt on the part of the defendant to carry out the usual obligations pertaining to a successful marriage.

The Master feels that the plaintiff is the injured and innocent spouse and that he is entitled to a divorce on the ground of indignities.

V. CONCLUSIONS OF LAW:

1. The plaintiff and defendant were legally married and the marital relationship still subsists between them.

2. The parties are properly before the Court and the Court has jurisdiction. The plaintiff and defendant are both residents of the Commonwealth of Pennsylvania and the defendant has been personally served.

3. The facts found establish grounds for divorce, a *vinculo matrimonii*.

VI. RECOMMENDATION OF THE MASTER:

The Master finds that the averment of the Complaint relating to indignities has been sustained by the proof and recommends that the prayer of the plaintiff be granted and that a decree be entered by your Honorable Court divorcing Scott T. Lingle, the plaintiff, and Martha B. Lingle, the defendant, from the bonds of matrimony now subsisting between them.

All of which is respectfully submitted.

William T. Davis
Master

In the Court of Common Pleas of Clearfield County, Pennsylvania

XXXXXX

SCOTT T. LINGLE } Of February Term, 1961
VERSUS } No. 445
MARTHA B. LINGLE }
DIVORCE

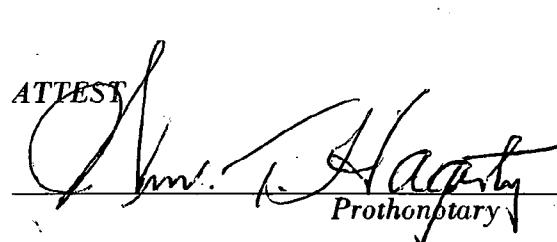
And Now, the 24th day of August 1961, the
report of the Master is acknowledged. We approve his findings and recommendations; ~~except~~
~~xxx~~

We, therefore, DECREE that SCOTT T. LINGLE be
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-
tracted between himself and MARTHA B. LINGLE.
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~~

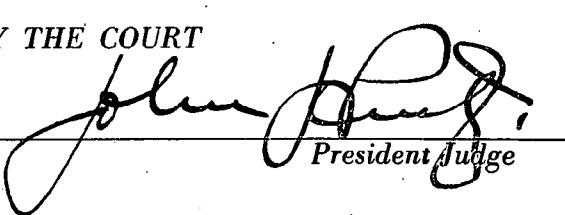
The Prothonotary is directed to pay the Court costs, including Master's fees, as noted herein, out of the deposits received and then remit the balance to the libellant. No Decree
to issue until the costs be fully paid. ~~except~~

~~his~~
~~law~~ ~~attested~~

ATTEST


John J. Hagerty
Prothonotary

BY THE COURT


John J. Hagerty
President Judge

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

No. 445 Term 19 61

SCOTT T. LINGLE
Libellant

VERSUS

MARTHA B. LINGLE
Respondent

DECREE

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SCOTT T. LINGLE :
: No. 445, February Term, 1961
VS. :
: IN DIVORCE
: :
MARTHA B. LINGLE :

TESTIMONY TAKEN AT MASTER'S HEARING

At a hearing held in the offices of the Master in Room 25 of the Clearfield Trust Company Building, Clearfield, Pennsylvania, on Saturday, July 29, 1961, at 9:30 o'clock, A. M., E.D.S.T., there appeared:

John B. Gates, Esq., Attorney for Scott T. Lingle, the Plaintiff.

Scott T. Lingle, the Plaintiff.

Thomas Lingle, son of the Plaintiff, witness.

William T. Davis, the Master.

No appearance was made on behalf of the Defendant, either in person or by counsel.

SCOTT T. LINGLE, being duly sworn according to law, testified as follows:

BY MR. GATES:

Q. Your name is Scott T. Lingle?

A. Yes.

Q. Mr. Lingle, where do you live.

A. Goshen Township, Clearfield County, Pennsylvania.

Q. How long have you lived in Goshen Township?

A. Since 1952.

Q. Your wife, according to the divorce complaint is Martha Lingle?

A. That is right.

Q. When were you and Martha married.
A. 25th of December, 1936.

Q. Where?
A. In the Parsonage of the Christian & Missionary Alliance Church in Clearfield, Pennsylvania.

Q. Do you know the name of the Minister?
A. Reverend Rowe.

Q. After your marriage, did you go to housekeeping?
A. Yes.

Q. Where?
A. Shawville.

Q. How long did you live there?
A. About one year.

Q. That is in Clearfield County?
A. Yes.

Q. Then after you lived in Shawville, did you move some other place?
A. Moved to Clearfield in Plymptonville.

Q. How long did you live there?
A. About eight years.

Q. Then did you move some other place?
A. Clover Hill in Lawrence Township.

Q. How long did you live there?
A. A year and a half.

Q. Then where did you move?
A. To McBride Street, Clearfield, Pa.

Q. How long were you there?
A. Until 1952 and then we moved to Goshen.

Q. How old are you?
A. 46.

Q. How old is Mrs. Lingle?
A. 40.

Q. Were any children born to this marriage?
A. Six.

Q. What is your occupation?
A. Lumberman.

Q. What are the names and ages of the children?
A. Thomas is the oldest child.

Q. How old is he?
A. 23.

Q. The next child is Ronald, how old is he?
A. He is 21.

Q. The next child is Barry, how old is he?
A. He is 17.

Q. And the fourth child is Judith, how old is she?
A. She is 15.

Q. The next child, the fifth, is Gary, how old is he?
A. He is 12.

Q. The youngest child, the 6th, is how old?
A. Linda is 9 years of age.

Q. You have her age as 10 in the complaint. Is she actually 9?
A. She will be 10 on Monday.

Q. Where do these children live?
A. They all live with me except Tom.

Q. Where does Tom live?
A. 530 South Third Street.

Q. Is Tom married?
A. Yes.

Q. Are any of the other children married?
A. Ronnie is married.

Q. Does he live with you?
A. He eats there but doesn't live there. Some nights he stays but some nights he doesn't. He just got married a few weeks ago.

Q. Is your wife living with you now in your home?
A. No.

Q. How long has she been gone?
A. Since about January 15, 1960.

Q. Have you seen her since then?
A. No I haven't.

Q. Mr. Lingle, after you were married, how did things go with you and your wife?
A. Pretty good for a while.

Q. How long did things go well?
A. Until we moved to Clearfield when we lived in Plymptonville.

Q. What happened when you moved to Plymptonville?
A. I couldn't tell you the exact year but she started to run around.

Q. What do you mean, she started to run around?
A. She went out two or three nights a week.

Q. Where did she go? To visit some friends or where?
A. I don't know if she visited any one.

Q. Did you ever see her when she was out?
A. No.

Q. Did conditions get better or worse?
A. They got worse.

Q. You said your wife left you in January of 1960,
is that the only time she ever left?
A. No, she left in 1946.

Q. Where were you living then?
A. In Clover Hill in Lawrence Township.

Q. How long was she gone then?
A. Two months.

Q. Do you know where she was that time?
A. She said she was in Niagara Falls working.

Q. Do you want to tell the Master what happened on the
day she left?
A. Nothing, except I saw her on Fourth Street and
asked her if she was out with this Charles
Mitchell and she didn't say anything to me and I
took the kids and I don't know what I did here
in town but when I went home, she wasn't there
she left.

Q. And she was gone for two months?
A. Exactly two months.

Q. What happened when she came back?
A. She sent someone after me and I picked her up
on Cherry Street. Her dad was there.

Q. What did she say?
A. She said if I took her back, she would do all
right.

Q. Did you go back together?
A. Yes.

Q. That was in 1946?
A. Yes.

Q. That is when you lived at Clover Hill?
A. Yes.

Q. After you went back living together, did things
get better or worse?
A. We always got along all right after that, just
her running around that is all.

Q. What happened, did the running around get better or
worse?

A. It got worse until she left.

Q. Did she ever state what she was doing or where she was going?

A. In 1958 she claimed that she was an officer in the WCTU and that is what she used for her excuse for running around.

Q. She told you she was an officer in WCTU and due to the fact that she was an officer she had to go places. Was she a member of the WCTU?

A. Yes.

Q. Was she an officer?

A. That is what she claimed.

Q. Would she go to various meetings?

A. No.

Q. Where would she go? When would she leave?

A. She would leave Monday and then come back either Wednesday or Thursday. That would happen every other week and then she would be gone two or three nights a week.

Q. Did you know where she went?

A. No.

Q. Did you ever see her?

A. Yes.

Q. Where did you see her?

A. I saw her coming out of an apartment house on Fourth and Cherry Street about 1:00 o'clock.

Q. Was her car parked there?

A. It was on the street.

Q. Did you see it?

A. Yes.

Q. Did you inspect the car?

A. She told me she just came from Harrisburg with this lady and I checked the car and it was practically cold and hadn't been run for some time, maybe all night.

Q. Did you find out who lived in this building?

A. Not until after she left. I asked the man in the store at the Fourth Street Market and he said two men lived there.

Q. Do you know who the men were?

A. Just the one she had been seen with in West Virginia.

Q. Scott did you see your wife with this man in West Virginia or were you told?

A. I just saw his car. I was told by other people that they had seen them together.

Q. Other people told you that they had seen your wife with this man?

A. Yes.

Q. Did you confront your wife or ask her about who this man was?

A. Several times but she always had some excuse.

Q. Did you ever check to find out whether she went to any conventions in Harrisburg?

A. I checked with Mrs. Michaels and I called her and asked about my wife and she said she had been to a meeting with her in November of 1959 and that was the only time that she was to a meeting and Mrs. Michaels attends all the meetings.

Q. You were advised then that your wife wasn't attending all these meetings?

A. She hadn't attended hardly any of them.

Q. Do you recall when your wife left in January of 1960?

A. On Monday night.

Q. Did anything happen that day or the night before?

A. No. We didn't have any trouble. But this Monday night we had a bad storm and the wind blew a telephone wire down and she accused me of cutting the phone wire. I had been working in the garage and I walked up to the house and she came out of the house and flew into me and got mad. That was eight o'clock and she left. Barry and I fixed the telephone wire and about ten o'clock she called me and I said are you coming home and she said I am coming home to get my clothes. We didn't argue or anything. I went to bed and sometime after midnight I heard her downstairs and she was washing out some clothes and I talked to her and she gathered up her clothes and suit case and left.

Q. Is that the last time you saw her?

A. Yes.

Q. Did you give her any reason to leave?

A. No.

Q. Did you talk to your wife after she left?

A. Saturday night I talked to her.

Q. How did you talk to her?

A. She called me on the phone and she said she was in New York and she talked for about two hours. She wanted to talk to the kids and I wouldn't leave her and I asked her if she was coming home

and she got tired talking and hung up the phone.

Q. In your opinion, was she in New York?
A. No.

Q. Was it a local call?
A. The operator didn't call and ask me in the first place. When I picked up the phone she answered.

Q. Have other people seen your wife in company with other men that you know of?
A. I could get several witnesses.

Q. I asked you if you have been advised by people that your wife was with other men?
A. Yes. My sister-in-law told me. Other people knew about it.

Q. Outside of these instances that you spoke of, you yourself never saw her with anyone?
A. No, I never did.

Q. But you have been told about it a good many times?
A. Yes.

Q. Did the fact that you were told have any bearing on your health or caused you any anxiety?
A. At the time it did for several months afterward.

Q. What did it do to you?
A. Upset me and made me nervous.

Q. Were you ever told by any people that your wife had been to see them by any men?
A. Yes.

Q. What was the nature of this? Did she go to see people?
A. I heard several rumors and Clarence Pearson told me over at the house that she wanted to take him out.

Q. That is Clarence Pearson down at the Finance Company?
A. Yes.

Q. Who told you?
A. Clarence told me himself. But this happened a long time before she left home that she was over to see him.

Q. Scott, do you and your wife own any property jointly together.
A. None.

Q. And is there any arrangement between you and your wife for the purpose of getting this divorce?
A. None, I never talked to her.

Q. Did you do everything in your power to make this a successful marriage?
A. I think I did.

Q. Did you give her any excuse or reason that she would leave you?
A. No.

BY THE MASTER:

Q. Did either of you ever apply for a divorce before? You were never served with any papers by her and you never filed a complaint other than this one in divorce?
A. No.

THOMAS LINGLE, being duly sworn according to law, testified As follows:

BY MR. GATES:

Q. Your name is Tom Lingle?
A. That is right.

Q. Tom, you are the oldest son of Scott and Martha Lingle?
A. Yes sir.

Q. You heard your father testify here in this case. Did you ever see your mother getting in or out of a car which was occupied by a man other than your father?
A. Yes I did.

Q. When did you see her?
A. The last time was in the later part of 1959.

Q. Was it day time or night?
A. It was in the night time.

Q. Where did you see her?
A. In Clearfield down by the old high school building.

Q. Had you been following your mother or how did you happen to see her?
A. I was riding around the block and I happened to be there when she got out of the automobile.

Q. What time of night was it?
A. I don't remember exactly but it was between nine and midnight.

Q. Did you recognize the man?
A. Yes.

Q. Who was he?
A. Bob Baer of Clearfield.

Q. That was in the later part of 1959?
A. Yes.

Q. Did she see you?
A. I couldn't say.

Q. Have you seen your mother since January of 1960?
A. Just last week that was the first.

Q. Do you recall ever being taken to the movies by your mother?
A. Yes sir.

Q. Would you tell the Master what happened on those occasions?
A. That is when we lived in Clover Hill. There was just my brother and me. My mother would take us to the movies on Saturday night and she would let us off at the movie and after the movies she would pick us up and more than once there was a gentleman with her.

Q. Was that more than once?
A. Different times.

Q. Would she take him home or leave him off?
A. She left him off and then my brother and I and her would go home together.

Q. Was it any relative?
A. No. It was a stranger.

Q. Was it the same man?
A. It always seemed like the same man - I couldn't say for sure.

Q. Did you know who he was?
A. No I didn't.

Q. Did she volunteer to tell you who he was?
A. No.

Q. You heard your father testify about when your mother went to meetings, was that the truth?
A. I wasn't home too much the latter part of 1959.

Q. Prior to that?
A. She said she went to the meetings and no one doubted her at the time and I never had cause to check on her/

Q. Did she go a lot?
A. She had quite a bit of freedom. She went quite often.

Q. Do you know of any arrangement between your father and mother for getting this divorce?
A. None whatsoever.

BY THE MASTER:

Q. You said you did see your mother last week. She is not in the military service of the United States?
A. I didn't see any uniform.

Q. You are certain that she is not in the armed services?
A. That is right.

SCOTT T. LINGLE, being recalled, testified further, as follows:

BY MR. GATES:

Q. Mr. Lingle you are being recalled as a witness to give more in detail the various matters which arose between you and your wife which are pertinent to this divorce. Now Mr. Lingle, did your wife ever make any statements to you concerning her desire to be married to you?
A. Yes a good many times. She said she was sorry she married me and a lot of different things.
Q. What else did she say to you? Did she ever say she wished she were divorced?
A. She said that one time but she said she would work her fingers off her hand and get a divorce and I don't know why. She had everything she wanted.
Q. Were these statements made more than one time?
A. A good many times.
Q. What type of mother was she as far as the children were concerned?
A. Not very good.
Q. Did she take care of them?
A. I raised the kids.
Q. When you say you raised the kids, did she make any arrangements for the children when she said she was going to the meetings?
A. She left them there at the house and I always hurried home because I knew they were alone.
Q. How old were these children at that time when she would leave them?
A. It started back when Tom was a baby. It would be a long time back.
Q. When she did go to these meetings, did she leave anyone to help you?
A. No, the kids and I took care of everything.
Q. Did she prepare any meals?
A. No. We got our own.
Q. Did she ever make any arrangements about getting them to school?
A. I got them to school.'

Q. Did you have to help with the laundry?
A. Not too much. They all could take care of themselves when they got older.

Q. It fellon you to supervise the children?
A. That is right.

Q. The time she went for two months, who took care of them?
A. I hired some one.

Q. Who has been taking care of the children since she left in 1960?
A. Different people and part of the time I took care of them myself. I would take care of them from Friday night and then I would have someone take care of them from Sunday night on.

Q. Did she ever make any statements concerning you and your friends and neighbors?
A. She mentioned at the neighbors that she didn't care anything for me.

Q. What neighbors?
A. The Leibys.

Q. What Leibys?
A. The E. L. Leibys.

Q. What statement did she make to Leibys?
A. Mrs. Leiby said about she heard the boy Ralph thought of me and she told him that its a good thing you think that of him because I don't think anything of him. She told me that she said that to Mrs. Leiby.

Q. Was that the only statement that she made about you or were there other things said?
A. Several things but I didn't pay any attention to it.

Q. What type of housekeeper was your wife?
A. Not very good. It would get so thick that I would have to sweep the floor myself. She would come home and throw her clothes down and I would pick them up and put them away.

Q. Was she neat in her appearance around the home?
A. Not too good.

Q. Would she prepare your meals on time?
A. She was pretty good on the meals for the kids when she was there.

Q. When she wasn't would you have to get them?
A. Yes.

Q. and the misunderstandings
A. These statements that your wife made/ were they of a continuous nature. Did they happen all the time?
A. All her life.

Q. They just weren't once in a while?
A. Everything I did was wrong all the time I lived with her.

Q. Do you know of any instances that you can tell the Master about as an example that she accused you of never doing anything right? You stated that your wife mentioned to you that she was sorry she married you. Is that correct?
A. That is right.

Q. How often would she make these statements to you?
A. About a half dozen times a week. She made so many statements.

Q. Did you infer from the statements that she wasn't satisfied in being married to you?
A. That is right.

Q. Was there any name calling or swearing?
A. Some.

Q. Was she a woman to use that language?
A. Not to much.

Q. Did your wife complain about other things?
A. Yes. She would lie about things. I accused her of lying and she said if I want to lie to you I will lie to you.

Q. Did your wife make any statement about her love for you or that she hated you?
A. She said she hated me a good many times but never anything about loving me.

Q. Did it happen more than once? Was it continuous?
A. It was continuous.

Q. Any more that you know of? Did she ever throw anything at you?
A. No nothing like that.

Q. Did she have a temper?
A. Yes.

Q. What did she do?
A. She couldn't say anything because she would fly up and get mad. Mostly she wouldn't say anything.

Q. Would she leave the house?
A. Yes she would leave.

Q. Would she be gone for periods of time?
A. Maybe for hours but she didn't stay for days.

Q. Did she talk to you when she had one of these fits of anger?
A. After she come back she would.

Q. Would she get your meals then?
A. No, she wasn't there to get them. One morning I said something about getting the kids to school and I had to stop and eat at Fetterman's.

Q. What else happened? Did she manifest an ill feeling toward you?
A. One time when my sister came in the house she went upstairs and then when she came down she walked through the kitchen and she walked out of the house and got in her car and left. After my sister had gone she came back. She never spoke to my sister.

Q. Were there any hard feelings between your wife and your relations?
A. None.

Q. How would this effect you? Were you embarrassed?
A. Yes.

Q. Were there any other instances in which she treated your relatives this way? Do you recall any other specific instance where she displayed bad manners in front of other people?
A. I can't remember because there were too many.

Q. How did she treat other people that would visit in your home?
A. She would treat them all right except my relatives and she wanted to be mean.

Q. How would she be mean?
A. One night my brother-in-law and his boy were there and I brought them in for supper and she was sore about that and I had to finish the supper. She walked off and left.

Q. Was there lots of food there?
A. Yes.

Q. Did she say she didn't care for them?
A. She said she didn't want to bother with them. She would be that way with her own relations when they came.

Q. Is it my understanding that her relative and your relatives refrained from visiting you on account of this?
A. Yes.

Q. Did they tell you they didn't want to come and visit?
A. They just didn't come.

Q. Did they stop coming after these instances occurred?
A. Yes.

BY THE MASTER:

Q. Were there any arguments about money?
A. If I had \$5.00 I would give it to her.

Q. Would she always ask for money?
A. At times.

Q. Was it excessive?
A. No.

Q. Did you provide her with adequate clothing and food?
A. Yes.

Q. Did she have her own car?
A. Yes but I made the payments on it.

BY MR. GATES:

Q. When she left, did she have her own car?
A. Yes but she lost it.

Q. How many cars did she have that you paid for?
A. There were three.

Q. Did she leave any bills to be paid by you when she left?
A. Several.

Q. Were these bills relative to her using these cars and wrecking them?
A. Yes but when she wrecked mine it was in my name.

Q. When she left in January did she leave any bills?
A. Yes.

Q. Were they bills that weren't for the necessities of life?
A. That is right.

Q. Did you give her any reason to complain that you weren't providing for her?
A. None.

Q. Did she ever have you arrested for desertion and non-support?
A. No. All I did was work and I never run around.

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me at the hearing of the above named cause and that this is a correct transcription of the same.

August 10, 1961

Mary L. Croone

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

No. 445 Feb. Term, 1961

SCOTT T. LINGLE, Plaintiff

VS

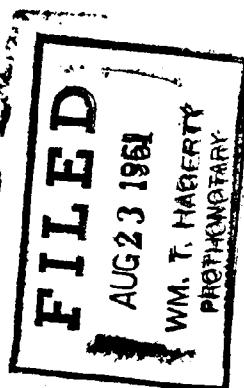
MARTHA B. LINGLE, Defendant

(UNCONTESTED)

REPORT OF MASTER IN
DIVORCE

COSTS:

William T. Davis,
Master's Fee. . . . \$ 85.00



NEVLING & DAVIS,
ATTORNEYS-AT-LAW
CLEARFIELD TRUST CO. BLDG.
CLEARFIELD, PA.

WAIVER OF NOTICE OF FILING MASTER'S REPORT

NOW, August 22, 1961, Notice of the filing of the within Master's Report is hereby waived.

John B. Gates
John B. Gates, Attorney for Plaintiff