

DOCKET NO. 175

NUMBER TERM YEAR

515 November 1961

Shirley Jean Price

VERSUS

Jack Joyce Price

Clearfield County, ss:

The Commonwealth of Pennsylvania, to

CARL A. BELIN, JR., 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

Shirley Jean Price

Plaintiff ,

and

Jack Joyce Price

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 15th day of February, 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.

Carl A. Belin, Jr.



COMMISSIONER.

No. 515 November Term. 1961

Shirley Jean Price

VERSUS

Jack Joyce Price

COMMISSION

Dan P. Arnold Attorney

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SHIRLEY JEAN PRICE :

vs : No. 515 November Term 1961

JACK JOYCE PRICE :

DOCKET ENTRIES

JANUARY 17, 1962, COMPLAINT IN DIVORCE filed. Two copies certified to the Sheriff.

January 22, 1962, Sheriff's Return filed: NOW, January 17, 1962 at 2:30 o'clock P.M. served the within Complaint in divorce on Jack Joyce Price at place of residence Frederick St., Curwenville, Pa. by handing to him personally a true and attested copy of the original Complaint in Divorce and made known to him the contents thereof.

NOW, January 18, 1962 at 11:10 A.M. served the within Complaint in divorce on Caroline Linninger at the place of employment McGregor Sportwear Co., Curwenville, Pa. by handing to her personally a true and attested copy of the original Complaint in Divorce and made known to her the contents thereof. So answers, James B. Reese, Sheriff.

February 14, 1962, by motion on the Watch Book, Carl A. Belin, Jr., Esquire, is appointed Master to take the testimony and report same with form of Decree.

Certified from the record this 15th day of February, A.D., 1962

Carl E. Stacker
Prothonotary

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SHIRLEY JEAN PRICE :
vs. : No. 515 November Term 1961
JACK JOYCE PRICE :
Frederick Street : IN DIVORCE
Curwensville, Pa. :
:

COMPLAINT

1. Shirley Jean Price, the plaintiff, is 26 years of age, is a Registered Nurse, and resides at 403 East Market Street, Clearfield, Clearfield County, Pennsylvania. She is a resident and citizen of the Commonwealth of Pennsylvania, and the United States of America, and has been a resident of the Commonwealth of Pennsylvania all her life.

2. Jack Joyce Price, the defendant, is 36 years of age and is employed at North American Refractories Company at Curwenville, Pennsylvania, and resides at Frederick Street, Curwenville, Clearfield County, Pennsylvania. He is a resident and citizen of the Commonwealth of Pennsylvania and the United States of America.

3. The plaintiff and defendant were married on October 19, 1956 by Reverend Houser in the Lutheran Church at Clearfield, Pennsylvania.

4. As a result of the marriage one child, Ricky Lee Price, was born on August 25, 1958 and is presently residing with his mother in Clearfield, Pennsylvania.

5. The defendant, on October 31, 1960 and at divers other times has committed adultery with Caroline Linninger, and the grounds of this divorce is adultery.

6. That this action is not collusive.

7. There has been no prior divorce action or action for annulment of marriage between the parties in this or any other jurisdiction.

WHEREFORE, plaintiff prays for a divorce from the bonds
of matrimony from Jack Joyce Price.

Dan P. Arnold
Attorney for Plaintiff

COMMONWEALTH OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS:

SHIRLEY JEAN PRICE, being duly sworn according to law,
deposes and says that the facts set forth in the foregoing
Complaint are true and correct to the best of her knowledge,
information and belief.

Shirley Jean Price

Sworn to and subscribed
before me this 16th day
of January 1962.

Carl E. Waller

DAN P. ARNOLD
ATTORNEY AT LAW
CLEARFIELD, PA.

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1964

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENNA.
No. 515 November Term 1962
IN DIVORCE

SHIRLEY JEAN PRICE

VS.

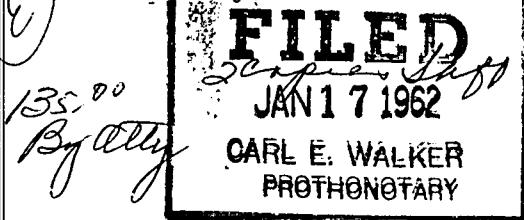
JACK JOYCE PRICE

COMPLAINT

TO THE WITHIN DEFENDANT:

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

Dan P. Arnold
Attorney for Plaintiff



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DAN P. ARNOLD
ATTORNEY AT LAW
CLEARFIELD, PA.

In The Court Of Common Pleas of Clearfield County, Pennsylvania.
+
Sharley Jean Price : NO#515 November Term 1961
VS :
Jack Joyce Price : Complaint In Divorce.
+

Now, Janurary 17, 1962 at 2:30 O'ClockP.M. served the within Complaint in divorce, on Jack Joyce Price atplace of residence Frederick St, Curwensville, Pa. by handing to him personally a true and attested copy of the original Complaint In Divroce and made known to him the contents thereof.

Cost

Sworn to before me this 22nd day of Janurary 1962.

Now, Janurary 18, 1962 at 11:10 A.M. served the within Complaint In divorce on Caroline Linninger at the plce of empoloyment McGregor Sport wear Co.Curwensville, Pa. by handing to her personally a true and attested copy of the original Complaint In Divorce and made known to her the contents thereof.

Cost

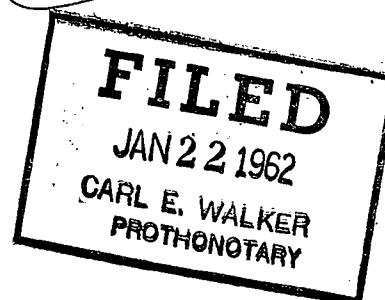
Sheriff Reese \$11.40

So Answer

James B. REese
Sheriff

Sworn to before me this 22nd day of Janurary 1962.
Carl E Walker
Prothonotary

James B. Reese



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SHIRLEY JEAN PRICE

-vs-

No. 515 November Term 1961

JACK JOYCE PRICE
Frederick Street
Curwensville, Penna.

IN DIVORCE

NOTICE OF MASTER'S HEARING

TO: Shirley Jean Price, Libellant
Dan P. Arnold
Attorney for Libellant
Clearfield, Pennsylvania

You are hereby notified that I have been appointed Master in the divorce action of Shirley Jean Price vs. Jack Joyce Price in the Court of Common Pleas of Clearfield, Pennsylvania, at No. 515 November Term 1961, and that I will hold a meeting for the purpose of taking testimony in said case at my office at 115 East Locust Street, Clearfield, Pennsylvania, on Friday, March 16, 1962 at 10:00 A.M., E.S.T., when and where you may attend with witnesses if you so desire.

Carl Belin

Carl A. Belin, Jr., Master

NOW, this 23rd day of February, 1962, service of the above notice is hereby accepted.

Shirley Jean Price

Shirley Jean Price, Libellant

NOW, this 23rd day of February, 1962, service of the above notice is hereby accepted.

Dan P. Arnold

Dan P. Arnold, Attorney
for Libellant

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SHIRLEY JEAN PRICE

-vs-

No. 515 November Term 1961

JACK JOYCE PRICE
Frēderick Street
Curwensville, Penna.

IN DIVORCE

NOTICE OF MASTER'S HEARING

TO: Jack Joyce Price, Respondent
Frederick Street
Curwensville, Penna.

You are hereby notified that I have been appointed Master in the divorce action of Shirley Jean Price vs. Jack Joyce Price in the Court of Common Pleas of Clearfield, Pennsylvania, at No. 515 November Term 1961, and that I will hold a meeting for the purpose of taking testimony in said case at my office at 115 East Locust Street, Clearfield, Pennsylvania, on Friday, March 16, 1962 at 10:00 A.M., E.S.T., when and where you may attend with witnesses if you so desire.

Carl A. Belin, Jr.
CARL A. BELIN, JR., MASTER
Clearfield, Pennsylvania

Feb. 19, 1962

Served the within Notice on Jack Joyce Price personally at his residence on Frēderick St Curwensville, Pa 2:30 P.M.

L. E. Walker

~~Subscribed~~ Sworn and subscribed to
before me this 20th day
of February A. D. 1962

Subscribed 3/20
Served 3/20
Mileage 150 *Carl E. Walker*
#645
Prothonotary

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1966

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SHIRLEY JEAN PRICE :
-vs- : No. 515 November Term 1961
JACK JOYCE PRICE : IN DIVORCE

NOTICE OF MASTER'S HEARING

TO: Caroline Linninger
McGregor Sportwear Co. (Place of work) (Now Kent Sportswear)
Curwensville, Penna.

You are hereby notified that I have been appointed Master in the divorce action of Shirley Jean Price vs. Jack Joyce Price in the Court of Common Pleas of Clearfield, Pennsylvania, at No. 515 November Term 1961, and that I will hold a meeting for the purpose of taking testimony in said case at my office at 115 East Locust Street, Clearfield, Pennsylvania, on Friday, March 16, 1962 at 10:00 A.M., E.S.T., when and where you may attend with witnesses if you so desire.

Carl A. Belin, Jr.
CARL A. BELIN, JR., MASTER
Clearfield, Pennsylvania

Now, February 21, 1962 at 10:00 A.M. served the within Master's Notice on Caroline Linninger at place of work at Kent's Sportswear, Curwensville, Penna.

L. E. Shaffer

Sworn and Subscribe before me
this 21st day February, 1962

Carl E. Walker
Prothonotary

PROTHONOTARY
My Commission Expires
1st Monday Jan. 1966

Service # 50

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SHIRLEY JEAN PRICE

-vs-

JACK JOYCE PRICE
Frederick Street
Curwensville, Penna.

No. 515 November Term 1961

IN DIVORCE

MASTER'S REPORT

SCHEDULE: January 17, 1962, the Complaint in divorce was filed, and the same was served on Jack Joyce Price on January 17, 1962, and on Caroline Linninger, the co-respondent, on January 18, 1962 by the Sheriff of Clearfield County, James B. Reese. Proof of services is hereto attached. The Master was appointed on the 15th day of February, 1962. The Master's Hearing was fixed for Friday, March 16, 1962 at 10:00 A.M., EST. The Notice of Master's Hearing was accepted by Dan P. Arnold, attorney for the plaintiff, Shirley Jean Price, and the plaintiff personally accepted notice of the Master's Hearing. Notice of the Master's Hearing was served on the defendant, Jack Joyce Price, and the co-respondent, Caroline Linninger, by L. E. Strunk, Constable of Clearfield, Pennsylvania, and he personally handed a true and correct copy of the notice to Jack Joyce Price at his residence on Frederick Street, Curwensville, Clearfield County, Pennsylvania, and to Caroline Linninger at Kent's Sportswear, Curwensville, Clearfield County, Pennsylvania, her place of work. Proof of services are attached hereto. The Master's Hearing convened on Friday, March 16, 1962 at 10:00 A.M., EST at which time the following persons appeared: Dan P. Arnold, Attorney for the Plaintiff; the plaintiff, Shirley Jean Price; and the plaintiff's witness, Marietta Dugan. The defendant, Jack Joyce Price, did not appear in person or by counsel nor did any witness appear for him. The co-respondent, Caroline Linninger, did not appear in person or by counsel, nor did any witness appear for her.

CAUSE FOR DIVORCE: Adultery.

FINDINGS OF FACT:

1. Marriage - The plaintiff, Shirley Jean Price and the defendant, Jack Joyce Price, were married on October 19, 1956 at Clearfield, Pennsylvania by Reverend Houser, a Lutheran Minister.

2. Residence - After their marriage, the plaintiff, Shirley Jean Price, and the defendant, Jack Joyce Price, lived in the Borough of Clearfield, Clearfield County, Pennsylvania for about a year, and then the parties moved to Frederick Street, Curwensville, Clearfield County, Pennsylvania, where they lived together as husband and wife until October 1959. The plaintiff's present address is 403 East Market Street, Clearfield, Pennsylvania, and the defendant's present address is Frederick Street, Curwenville, Pennsylvania.

3. Citizenship - The plaintiff, Shirley Jean Price is a citizen of the United States and Pennsylvania, and has been a resident of Clearfield County all her life. The defendant, Jack Joyce Price, is a citizen of the United States and Pennsylvania and has been a resident of Clearfield County all his life except for the years he spent in the armed forces.

4. Age and Occupation - The plaintiff, Shirley Jean Price, is twenty-six years of age and is a registered nurse and supervisor at the Clearfield Hospital. The defendant, Jack Joyce Price, is thirty-six years of age and is employed at the North American Refractories Company at Curwensville, Pennsylvania.

5. Children - There was one child born to this marriage, namely; Ricky Lee Price, born on August 24, 1958. The above-mentioned child resides with the plaintiff.

6. Military Service - The Master finds as a fact that the defendant, Jack Joyce Price, is not on active duty in any

branch of the Armed Forces of the United States of America at the time this divorce action was commenced, nor at the time the Master's Hearing was held; but the defendant, Jack Joyce Price, is a member of the United States Naval Reserves.

7. There are not and have not been any charges of adultery made against either Jack Joyce Price or Caroline Linninger.

8. Findings on the Merits - Shirley Jean Price and Jack Joyce Price were married on October 19, 1956 and lived in the Clearfield Borough for about a year, and then moved into a bungalow on Frederick Street, Curwensville. They lived as husband and wife until October 1959. There was one child born to this marriage, and the plaintiff wife has been working as a registered nurse at the Clearfield Hospital. The plaintiff and the defendant, during the year 1959, did not get along together. Due to the antagonizing feelings of the parties towards each other, the parties separated sometime during October, 1959. After the plaintiff separated with the defendant, a woman by the name of Caroline Linninger moved into the house on Frederick Street with Jack Joyce Price, on approximately the 9th of August, 1960. On October 31, 1960, the daughter of a neighbor, Marietta Dugan, had a pajama party, and Marietta Dugan and her two daughters and son were allowed to spend the night at the Jack Joyce Price home. That night Caroline Linninger and Jack Joyce Price spent the night together in the same room in which there was only one bed.

On the basis of Marietta Dugan's personal experience of seeing Jack Joyce Price and Caroline Linninger spend a night in the same bedroom, in which there was only one bed, the Master finds as a fact that Caroline Linninger and Jack Joyce Price have committed adultery. The Master finds the facts he has reviewed

are true, and that the plaintiff who is accompanied by Marietta Dugan are credible witnesses. He further finds that the facts found by the Master do establish that the defendant committed adultery, and that the plaintiff, Shirley Jean Price, is the innocent and injured spouse and said adultery entitles her to divorce.

9. Discussion - The testimony discloses that the witness saw the respondent and co-respondent enter a bedroom in which there was one bed and spend the night there. Adultery may be inferred on evidence of the occupancy of a bedroom by an unmarried man and woman: HENRY V. HENRY, 32 Delaware County, 350 (1944). See also COMMONWEALTH V. MOSIER, 135 Pa. 221. As to the innocent and injured spouse, the Superior Court in RECH V. RECH, 176 Pa. Super 401, 107 A 2d. 601, 606 stated the following:

"The case before us the defendant having been found guilty of adultery, the plaintiff is 'an innocent and injured spouse' unless the evidence shows he was guilty of adultery, cruel and barbarous treatment or indignities or otherwise conduct that would entitle the defendant to a divorce from the plaintiff had she been an injured and innocent spouse."

It not appearing that there is anything in the record to show that the plaintiff has been guilty of any indignities or otherwise, it is found as a matter of law that the plaintiff is an innocent and injured spouse, and that the respondent is guilty of adultery.

The Master having found sufficient proof of adultery in the record, it is not necessary to go on to the further question of whether the evidence relating to the confession by the co-respondent is admissible and competent evidence.

CONCLUSIONS OF LAW:

(a). That the Court had jurisdiction over the defendant and co-respondent by personal service by James B. Reese, Sheriff of Clearfield County, Pennsylvania.

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

(c). That the Master had jurisdiction over the parties by having the Constable, L. E. Strunk, personally serve the defendant and co-respondent and by having service accepted by the attorney for the plaintiff and by the plaintiff herself.

(d). That the Master finds the defendant, Jack Joyce Price, guilty of committing adultery with the co-respondent, Caroline Linninger, and finds the plaintiff, Shirley Jean Price, is the innocent and injured spouse.

RECOMMENDATION - The Master does recommend that a Decree of Divorce "a vinculo matrimonii" or absolute divorce be granted to Shirley Jean Price, the plaintiff, from Jack Joyce Price, the defendant.

Carl A. Belin Jr.
Carl A. Belin, Jr., Master

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

SHIRLEY JEAN PRICE

-vs-

No. 515 November Term 1961

JACK JOYCE PRICE
Frederick Street
Curwensville, Penna.

IN DIVORCE

MASTER'S HEARING

Master's Hearing in Divorce held before the Master on the 16th day of March, 1962, at 10:00 o'clock A.M., E.S.T. at the office of Carl A. Belin, Jr., Esquire, 115 East Locust Street, Clearfield, Pennsylvania, in accordance with the notice of Master's Hearing. The following persons appeared at that time:

<u>Appearances:</u>	SHIRLEY JEAN PRICE	Libellant
	MARIETTA DUGAN	Libellant's Witness
	DAN P. ARNOLD	Libellant's Counsel

The Respondent, Jack Joyce Price, did not appear either in person or by counsel and no witnesses were present on behalf of the Respondent.

SHIRLEY JEAN PRICE being duly sworn according to law testified as follows:

BY DAN P. ARNOLD, ESQ.:

Q. Shirley, what is your full name?

A. Shirley Jean Price.

Q. Where do you live?

A. 403 East Market Street.

Q. How old are you?

A. 26.

Q. What is your occupation?

A. Registered nurse and night supervisor at the Clearfield Hospital.

Q. What is your husband's name?

A. Jack Joyce Price.

Q. How old is he?

A. 36.

Q. What does he do?

A. He works at North American Refractories Company at Curwensville.

Q. Where does he live?

A. Frederick Street, Curwensville.

Q. When were you and Jack Price married?

A. October 19, 1956.

Q. By whom and where?

A. By Reverend Houser in the Lutheran Church.

Q. In Clearfield?

A. Yes.

Q. Were any children born to this marriage?

A. Yes, one.

Q. What is his name and when was he born?

A. Ricky Lee Price--August 24, 1958.

Q. How about the 25th?

A. No, I got out his birth certificate this morning, and it is the 24th.

Q. 24th?

A. Yes, he is three (3) years old now.

Q. Have either you or your husband started a divorce action against each other before this time?

A. No.

Q. Where were you born Mrs. Price?

A. DuBois--the Maple Avenue Hospital.

Q. Have you lived all your life in Pennsylvania?

A. Yes.

Q. Do you know where your husband was born; was it in Pennsylvania?

A. I believe Curwensville.

Q. Was it in Pennsylvania?

A. Yes.

Q. Has he lived all his life in Pennsylvania?

A. Yes, except the time he was in the Navy for 8½ years.

Q. He spent 8½ years in the Navy, other than that he has lived in Pennsylvania all his life?

A. Yes.

Q. When you and your husband got married, where did you go to live?

A. To a bungalow on West Second Avenue.

Q. West Second Avenue where?

A. Clearfield.

Q. How long did you live there, approximately?

A. Approximately a year I suppose.

Q. About a year?

A. Yes.

Q. Then where did you go?

A. Frederick Street in Curwensville, Pennsylvania.

Q. Did you buy a house there?

A. We were in the process of buying one.

Q. You had a mortgage on it?

A. Yes.

Q. Did you live on Frederick Street in Curwensville until your separation?

A. Yes we did.

Q. When did you and your husband separate?

A. In October '59.

Q. Do you know the approximate date?

A. Approximately the 9th.

Q. About the 9th of October, 1959, is that right?

A. Yes.

- Q. After you separated where did you go?
- A. In an apartment on Fourth Street. I stayed there about two (2) weeks then I moved to Turnpike Extension to an apartment over Owens' Grocery Store.
- Q. Where do you live now?
- A. 403 East Market Street.
- Q. So since your separation you have lived in Clearfield, is that right?
- A. Yes.
- Q. After you left, Shirley, did any other woman move into the house in Curwensville?
- A. Yes.
- Q. That is, the same house you and your husband used to live in?
- A. Yes.
- Q. Who moved in?
- A. Caroline Linninger.
- Q. And approximately how old is she?
- A. She is probably in her late 20's.
- Q. Late 20's?
- A. Yes.
- Q. Have you seen this woman since your separation, either goin or out of the house?
- A. Yes I have.
- Q. Have you seen her recently?
- A. No, not recently--last summer.
- Q. Your husband is not now in the Military Service is he?
- A. No he isn't. He is in the reserves.
- Q. Has there been any agreement or understanding between you and your husband for the purpose of getting this divorce?
- A. No.

MARIETTA DUGAN being duly sworn according to law
testified as follows:

BY DAN P. ARNOLD, ESQ.:

- Q. What is your full name?
- A. Marietta Dugan.

- Q. Marietta, where do you live?
- A. 122 Suburban Avenue, State College.
- Q. In 1959 where did you live?
- A. On Frederick Street, Curwensville.
- Q. Did you live close to the Prices?
- A. Right next door.
- Q. Did you know of the time when Shirley Price left her husband?
- A. Yes.
- Q. That was in October, 1959?
- A. Yes.
- Q. Do you know whether or not at some time after she left whether some other woman moved into the house?
- A. Yes.
- Q. Who was it that moved in?
- A. Caroline Linninger.
- Q. Caroline Lanager?
- A. Linninger.
- Q. Do you know her age?
- A. I believe she is 23.
- Q. 23?
- A. Yes, on her birthday she will be 23.
- Q. Do you know approximately when it was she moved in?
- A. About two days before the 11th of August. Yes, because it was before my daughter's....
- Q. What year?
- A. 1960.
- Q. How do you fix that date?
- A. She moved in before my daughter's birthday, and my daughter's birthday is August 11. She was at the house August 11 at the party, and she already lived there. She lived there a few days before I met her.
- Q. Your daughter's birthday is August 11?
- A. Yes.

- Q. And you had her a party?
- A. Yes, and she attended the party, her and Jack Price both.
- Q. Shirley's husband and this woman who was living next door was over at your house for your daughter's party?
- A. Yes, it was outside. We had a barbecue on the patio, and they were helping with the hamburgers.
- Q. You said she moved in prior to your daughter's birthday?
- A. Yes.
- Q. When did you leave Frederick Street in Curwensville?
- A. This year, in October. I can't tell you the exact date.
- Q. October '61?
- A. Yes.
- Q. At the time you left Curwensville, was this Caroline Linninger still living there?
- A. Yes.
- Q. Do you know whether or not Caroline worked?
- A. Yes, she is working at the shirt factory in Curwensville.
- Q. And Mrs. Price's husband is working at North American Refractories Company?
- A. Yes.
- Q. Do you recall within the couple months following your daughter's birthday that your daughter had a pajama party?
- A. Yes.
- Q. When was that?
- A. October 31, 1960.
- Q. Approximately how many people were at this pajama party?
- A. 14 girls.
- Q. How many children do you have besides this daughter?
- A. Three other ones--four all together.
- Q. Do you recall when this pajama party was?
- A. Halloween night, the 31st.
- Q. October 31, 1960?
- A. Yes.
- Q. And that was a pajama party they were having?
- A. Yes.

- Q. Were there any available beds in your house on the night of October 31st?
- A. No.
- Q. Where did you spend the night?
- A. At the Jack Price home, my next door neighbor.
- Q. And who all was there with you?
- A. Caroline Linninger, my daughter Kay, my daughter Cindy, and my son Michael. We all slept over there.
- Q. You had your three children, and you and your three children stayed at Jack Price's?
- A. Yes.
- Q. Did Caroline help you get set up for the evening?
- A. Yes. I called her on the phone, and she came over and carried blankets and pillows over, and I carried the baby, and we opened the couch, or day-bed, and I put my little boy in Ricky's bed, the crib he had for his son, and my other daughter slept in the bed in the other room, and my other daughter 7, and I slept on the couch.
- Q. About what time did you go over that night?
- A. About quarter after 11.
- Q. Were both Jack Price and Caroline Linninger there that night?
- A. Yes, he was in bed when I went over.
- Q. Where did Caroline Linninger spend the night?
- A. She slept in his room.
- Q. Are you familiar with that bedroom?
- A. Yes.
- Q. Have you been in it?
- A. Yes I have been in the house.
- Q. Is it furnished with twin beds or one double bed?
- A. One double bed.
- Q. Is that the only bed in the bedroom?
- A. Yes, that is the only bed.
- Q. Do you know whether she spent the night there?
- A. Yes, I watched her go in and shut the door, then I turned out the lights.

- Q. How long were you there that night?
- A. From quarter after eleven that night until 9 o'clock Saturday morning.
- Q. Were either Jack or Caroline up when you left at 9 o'clock?
- A. Jack got up and went for Ricky. He got up about 7:30 and went down to get Ricky.
- Q. Do you mean Ricky, Mrs. Price's boy?
- A. Yes.
- Q. Down at Clearfield?
- A. Yes, Caroline and I and my three children got up and were having coffee when he came back with the little boy.
- Q. Referring to one Sunday when Caroline came over to your house when she and Jack Price had been out together the night before, will you tell us what happened?
- A. She ate at my house, and I said to her, "What makes you so happy today, you must have had a good time." I said, "Were you out last night?" She said, "Yes", and I said, "Were you out drinking?" She said "Yes, then I enjoyed myself last night." I said, "What do you mean you enjoyed yourself last night?" She said, "Well, we went to bed, and what do you do when you go to bed?". I said, "Sleep." And she said, "Well, I don't mean that, I was diddling."
- Q. Again referring to one day she talked to you about a divorce, would you tell us what happened?
- A. She came over growling about her husband, and she said he would like to get a divorce, and she told him to go ahead and get it, and I asked her if he was going to get it on grounds of desertion, and she said no, I got him to get it on committing adultery. Jack and I could both get it on that.

BY CARL A. BELIN, JR., ESQ., MASTER to Shirley Jean Price:

- Q. Mrs. Price, where is your boy living now?
- A. With me.
- Q. Has he lived with you?
- A. He has.
- Q. What was the cause of your separation, why did you leave your husband?
- A. Well, he was robbing me blind and telling me I was crazy and all things like that.
- Q. Was he running around with women at that point?
- A. Not to my knowledge.

BY DAN P. ARNOLD, ESQ., to Shirley Jean Price:

- Q. You were married in '56 and separated in '59. The whole last year you lived together, did you and your husband get along at all? Did you get along well with each other?
- A. We didn't have any brawls, but there was an antagonizing feeling there all the time. We didn't see eye to eye.
- Q. Was it an incompatible relationship?
- A. Yes.
- Q. So much so you felt you had to separate?
- A. That is right.

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

Sandra R. Pry

In the Court of Common Pleas of Clearfield County, Pennsylvania

<u>SHIRLEY JEAN PRICE</u>	} Of <u>November</u> Term, 19 <u>61</u>
Libellant	
<u>VERSUS</u>	} No. <u>515</u>
<u>JACK JOYCE PRICE</u>	
Respondent	

DIVORCE

And Now, the 29th day of March 1962, the report of the Master is acknowledged. We approve his findings and recommendations; except as to NO EXCEPTIONS

We, therefore, DECREE that Shirley Jean Price be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between himself and Jack Joyce Price.

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 during the lifetime of Shirley Jean Price, ~~Libellant~~; Jack Joyce Price, Respondent shall not be permitted to marry Caroline Linninger

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 _____

Shirley Jean Price at his ~~her~~ costs expended in this action.

ATTEST

BY THE COURT

Prothonotary

President Judge



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

No. 515 November Term 1961

Shirley Jean Price
Libellant

VERSUS

Jack Joyce Price
Respondent

DECREE

IN THE COURT OF COMMON PLEAS OF
CLEARFIELD COUNTY, PENNSYLVANIA
NO. 515, NOVEMBER TERM, 1961
IN DIVORCE

UNCONTESTED

SHIRLEY JEAN PRICE

vs.

JACK JOYCE PRICE

MASTER'S REPORT

Carl A. Belin, Jr., Master
Master's Fee . . . \$ 85.00
L. E. Strunk, Constable
Fee for serving Notice of
Master's Hearing on Jack
Joyce Price, Respondent
and Caroline Linninger,
co-respondent 13.00

Carl A. Belin, Jr., Master

FILED

MAR 22 1962

CARL E. WALKER

ROTHONO

BELIN & BELIN

ATTORNEYS AT LAW

CLEARFIELD, PENNA.