

DOCKET NO. 173

NUMBER	TERM	YEAR
526	February	1961

Mildred Y. May

VERSUS

Richard L. May

Clearfield County, ss:

The Commonwealth of Pennsylvania, to

Anthony S. Guido, 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

Mildred Y. May

Plaintiff ,

and

Richard L. May

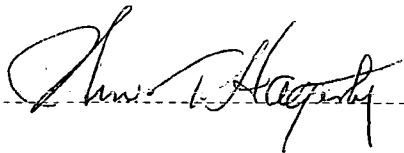
Defendant ,

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.

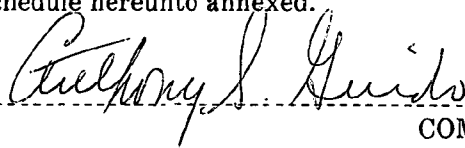
WITNESS, the Hon. John J. Pentz, President of our said Court, at Clearfield, the 5th day of May, in the year of our Lord one thousand nine hundred and sixty one



Prothonotary

To the Honorable, the Judge, &c.:

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




COMMISSIONER.

No. 526 February Term. 19.61

MILDRED Y. MAY

VERSUS

RICHARD L. MAY

COMMISSION

Ammerman & Blakley
Attorney.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MILDRED Y. MAY

, vs

RICHARD L. MAY

:
: No. 526 Feb. Term, 1961
:
: IN DIVORCE
:

CONSTABLE'S RETURN

NOW, April 20, 1961 at 9:35 o'clock A.M. served
Richard L. May, at his place of business, DuBois Tool & Electric
Company, DuBois, Pennsylvania, a true and attested copy of
Complaint in Divorce at No. 526 February Term, 1961, by handing
the same to him and leaving with him, personally, and making
known to him the contents thereof.

And so answers,

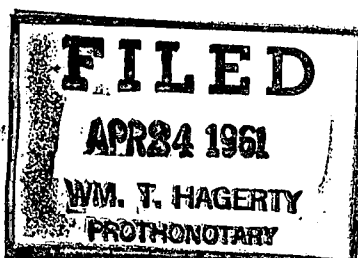
Alex Campbell
Constable

Costs: \$3.50

Sworn to and subscribed
before me this 20th day of
April, 1961.

Mrs Della W. Egan

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



FILED
APR 24 1961
WM. T. HAGERTY
PROTHONOTARY

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MILDRED Y. MAY

vs

RICHARD L. MAY

No. 526, Feb. Term, 1961

IN DIVORCE

*** **

*

COMPLAINT

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

1. The name of the Plaintiff is Mildred Y. May, and of the Defendant is Richard L. May, both being of full age and competent.
2. The Plaintiff is residing at 18 E. Sherman Avenue, DuBois, Clearfield County, Pennsylvania.
3. The Defendant is residing at R. D. (Clear Run), DuBois, Clearfield County, Pennsylvania.
4. Both the Plaintiff and the Defendant are citizens of the United States, and residents of the State of Pennsylvania.
5. The Plaintiff and Defendant were married on May 26, 1950 at Pittsburgh, Allegheny County, Pennsylvania.
6. There were three children born as a result of this marriage; Nelda Lee, age 9 years; Gary E., age 6 years and Allan Richard, age 4 years, all of whom reside with the Plaintiff.
7. Plaintiff avers that the Defendant, in violation of his marriage vows, and of the laws of the Commonwealth of Pennsylvania, did offer such indignities to the person of the Plaintiff, as to render her life burdensome and her condition intolerable.
8. That neither party has instituted prior divorce

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

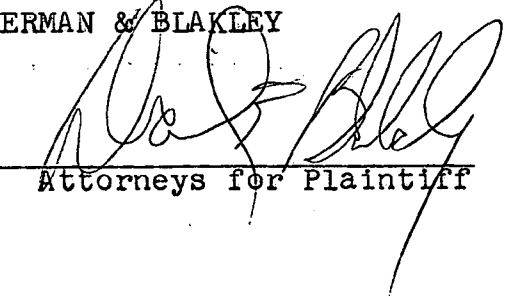
9. This action is not collusive.

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

And she will ever pray.

AMMERMAN & BLAKLEY

BY


Attorneys for Plaintiff

STATE OF PENNSYLVANIA :
COUNTY OF CLEARFIELD : SS

The above named Plaintiff, MILDRED Y. MAY, being duly sworn according to law, deposes and says that the statements contained in the above complaint are true, and that the said complaint is not made out of levity or by collusion between her and the said Respondent, Richard L. May, for the mere purpose of being freed and separated from each other, but in sincerity and trust for the causes mentioned in the said libel.

Mildred Y. May
Mildred Y. May

Sworn to and subscribed
before me this 19th day of
April, 1961.

Mrs. Della W. Egan

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

No. 526, File Term, 1961

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

IN DIVORCE

MILDRED Y. MAY

VS

RICHARD L. MAY

COMPLAINT

To the within Defendant:

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

W. T. Hagerty
Attorneys for Plaintiff

FILED

APR 19 1961

WM. T. HAGERTY
PROTHONOTARY

W. T. Hagerty

LAW OFFICES
AMMERMAN & BLAKLEY
DUBOIS, PENNA.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MILDRED Y. MAY

:

NO. 526 FEBRUARY TERM, 1961

-vs-

:

IN DIVORCE

RICHARD L. MAY

:

MASTER'S REPORT

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

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

I. COMMISSION.

(Hereunto attached).

II. DOCKET ENTRIES AND SCHEDULE

1. Complaint in Divorce filed on April 19, 1961.
2. On April 24, 1961, at 9:35 o'clock A.M., E.S.T., Alex Campbell, Constable, served the within Complaint in Divorce on RICHARD L. MAY, be handing to him personally, a certified copy of said Complaint in Divorce at his place of business, DuBois Tool and Electric Supply Company, DuBois, Pennsylvania.
3. On April 24, 1961, on praecipe filed by William C. Chase, Attorney, entered his appearance for the Defendant and waived the time for filing an answer.
4. On May 3, 1961, by Motion on the Watch Book, Anthony S. Guido, Esq., was appointed Master to take the testimony and report the same with form of decree.
5. May 8, 1961, Master's hearing set for Friday, May 19, 1961 at 10:30 A.M. in the office of Gleason, Cherry & Cherry, 109 North Brady Street, DuBois, Pennsylvania.

6. On May 8, 1961, service of notice of Master's hearing accepted and Fifteen (15) days notice as required by Clearfield County Court Rule 11 (9) waived by David E. Blakley, Esq., counsel of record for the Plaintiff.

7. On May 9, 1961, service of notice of Master's hearing accepted and Fifteen (15) days notice as required by Clearfield County Court Rule 11 (9) waived by William C. Chase, Esq., counsel of record for the Defendant.

8. That the time and place for hearing having arrived, there appeared before your Master the following: MILDRED Y. MAY, Plaintiff; DONALD GRAHAM, Witness for Plaintiff; and David E. Blakley, Attorney for Plaintiff. No appearance was entered by or on behalf of said Defendant.

III. COMPLAINT AND FILED PAPERS.

(Hereunto attached).

IV. CAUSES OF DIVORCE.

Indignities to the person.

V. FINDINGS OF FACT.

1. Marriage - the said Plaintiff and Defendant were married on the 26th day of May, 1950 at Pittsburgh, Pennsylvania.

2. Residence - the Plaintiff and Defendant have resided in the Commonwealth of Pennsylvania all of their lives. The present residence of the Plaintiff being 18 East Sheridan Avenue, DuBois, Clearfield County, Pennsylvania, and the present residence of the Defendant is Clear Run, Sandy Township, Clearfield County, Pennsylvania.

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

4. Age and occupation - the Plaintiff is 36 years of age and is unemployed. The Defendant is 32 years of age and is the Secretary-Treasurer of Erickson Corporation, DuBois, Pennsylvania.

5. Children - There were three children born to this marriage, namely, Nelda May, age 9; Gary May, age 6; and Allan May, age 4.

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

7. Findings on the Merits and Discussion - it appears from the evidence that this Defendant disregarded all obligations of his marriage. The difficulties between them commenced approximately nine months prior to hearing, and continued to the present. He continuously and publicly kept company with another woman, paying no attention to Plaintiff whatever. His "running-around" has been common talk among the folks of the community; and all of these matters were such as to embarrass Plaintiff to a point where Plaintiffs life became burdensome. Although frequently the Plaintiff requested him to refrain from his illicit relationship, he refused to do so. The evidence establishes that Defendant's actions were such as to make Plaintiff's life burdensome and living together intolerable.

In the opinion of your Master therefor, good and sufficient grounds for divorce have been established by the evidence.

VI. CONCLUSIONS OF LAW.

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

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

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

VII. RECOMMENDATIONS

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

Respectfully submitted,

Anthony J. Guido
Commissioner.

MILDRED Y. MAY being duly sworn according to law, testified as follows:

BY MR. BLAKLEY:

Q. Would you state your name ?

A. Mildred Y. May.

Q. And where do you reside ?

A. 18 E. Sherman Avenue.

Q. In DuBois ?

A. Yes.

Q. And are you married ?

A. Yes.

Q. To whom ?

A. Richard L. May.

Q. When and where were you married ?

A. In Pittsburgh, Pa., May 26th, 1950.

Q. Are you a citizen of the United States ?

A. Yes.

Q. Were you born here ?

A. Yes.

Q. Were you born in Pennsylvania ?

A. Yes.

Q. Do you know if your husband was born in Pennsylvania ?

A. Yes, he was.

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

A. In Pittsburgh.

Q. Where did he reside ?

A. Uniontown.

Q. How long have you lived in Clearfield County ?

A. It was ten years in January.

Q. Where is your husband residing at the present time ?

A. Clear Run.

Q. Is that in Clearfield County ?

A. Yes, it is.

Q. Now then, has he resided in Clearfield County continuously for the last ten years too ?

A. Yes.

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

A. Yes, there were.

Q. Would you state their names and ages ?

A. Nelda is nine, Gary 6 and Allan, 4.

Q. With whom do they reside ?

A. With me.

Q. What is your age ?

A. Thirty-six.

Q. Are you employed ?

A. No, I'm not.

Q. What is your husband's age and occupation ?

A. Thirty-two and he is Secretary-Treasurer of the Erickson Corp.

Q. When is the last you have seen your husband ?

A. The other morning.

Q. In other words, within the last few days ?

A. Yes.

Q. At that time was he a member of the military service of the United States ?

A. No, he wasn't.

Q. Has he ever been a member of the military service ?

A. Yes he has.

Q. When, since you were married, or before ?

A. Before and after.

Q. Has he been a member of the military service within the last year ?

A. No.

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

A. No.

Q. Did you ever file any prior divorce actions ?

A. No.

Q. Has he ever filed any divorce actions ?

A. No.

Q. When did your difficulties first begin ?

A. In September of 1960.

Q. What was the nature of the difficulty ?

A. Well, he informed me that he was going with another woman ?

Q. He told you this ?

A. Yes, he did.

Q. Did you have any knowledge of it before that ?

A. No, I didn't.

Q. Why did he tell you ?

A. I suspected it, and came out and asked him, and he told me.

Q. This was in September of 1960, you say ?

A. Yes.

Q. Were you living together at that time ?

A. Yes, we were.

Q. Did he tell you how long he had been going with this other woman ?

A. Yes.

Q. How long had he ?

A. Well, he just met her on the 31st of August, and started dating her on the 1st of September.

Q. And this was the end of September he told you about it ?

A. No, the middle.

Q. What did he say about it ?

A. Well, he first said that he was going with someone, and he would like to have a divorce, and wanted me to marry someone else.

Q. Why did you suspect that he was going with someone else ?

A. Well, he had been out several nights until quite late, and I was in Pittsburgh for three days and when I came back he didn't pay any attention to me, didn't even kiss me all week,

Q. At that time was it general knowledge among your acquaintances and relatives that he was going around with this other woman ?

A. Definitely.

Q. And he is still going with her ?

A. Yes, he is.

Q. Everyone know it, do they ?

A. Yes.

Q. Are you separated from him now ?

A. Yes.

Q. When did you separate ?

A. October 27th.

Q. And has he openly gone with this other woman since that time ?

A. He has from the very beginning.

Q. Did you ever suggest to him that he should quit running around with this other woman ?

A. Yes, I did.

Q. What did he say to that ?

A. Oh, I don't know - it seemed that when you'd talk to him, he just sit there and stare into space, and have nothing to say.

Q. Did he ever promise that he would quit running with this other woman ?

A. Yes.

Q. But did he ?

A. No, he didn't.

Q. You say he is still openly running about with her ?

A. Yes, he is.

Q. Is his running with this other woman now, and before you were separated a source of great embarrassment to you ?

A. Yes, it is.

Q. Did it affect your health ? Make you nervous ?

A. Yes.

Q. And when you are among acquaintances and relatives, do you feel at ease, or is it extremely embarrassing to you everyone knowing this ?

A. Yes, it is.

Q. Did he ever state whether or not he was in love with this other woman ?

A. Oh, Yes.

Q. Did he state whether or not he still cared for you ?

A. No.

Q. Do you feel that the love upon which a marriage is based is completely gone here ? As far as he is concerned ?

A. Yes, definitely.

Q. Do you feel in the light of his conduct it would be impossible for you to carry on the marital relationship ?

A. Yes.

DONALD GRAHAM, being duly sworn according to law, testified as follows:

BY MR. BLAKLEY:

Q. Would you state your name sir ?

A. Donald Graham.

Q. And where do you reside, Mr. Graham ?

A. 6 $\frac{1}{2}$ Overdorf Ave.

Q. Do you know Mildred May, the plaintiff in this action ?

A. Yes, I do.

Q. Are you acquainted with her husband, Richard May ?

A. Not personally.

Q. In what way are you acquainted with him ?

A. Well, I do know that he has been going with - well, she was my daughter-in-law.

Q. You mean this girl that Mr. May has been running with used to be your daughter-in-law ?

A. That's right.

Q. Do you know when he first started going with her ?

A. Not the exact date, no.

Q. Approximately when ?

A. I would say sometime the latter part of August or first part of September.

Q. 1960 ?

A. Yes.

Q. Was she still married to your son at that time ?

A. She was.

Q. Have they subsequently been divorced ?

A. She divorced him final two weeks ago.

Q. And was Mr. May running with your former daughter-in-

law the cause of their divorce ?

A. I would think so.

Q. Is it generally known around town that Mr. May is running with this woman ?

A. Common knowledge as far as I know.

Q. In other words, many of your acquaintances and acquaintances of Mr. May know that ?

A. Oh, Yes.

Q. Have you ever personally seen Mr. May and your former daughter-in-law out together ?

A. Yes, I have.

Q. On many occasions ?

A. Quite a few occasions, in the car.

Q. Generally when they run around together around town, is it openly ?

A. I don't think he ever beat around the bush about it.

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MILDRED Y. MAY :
VS : No. 526 February Term, 1961
RICHARD L. MAY :

DOCKET ENTRIES


APRIL 19, 1961, COMPLAINT IN DIVORCE filed. One copy certified to Attorney.

April 24, 1961, Constable's Return filed: NOW, April 20, 1961 at 9:35 o'clock A.M. served Richard L. May, at his place of business, DuBois Tool & Electric Company, DuBois, Pennsylvania, a true and attested copy of Complaint in Divorce at No. 526 February Term, 1961, by handing the same to him and leaving with him, personally, and making known to him the contents thereof. And so answers, Alex Campbell, Constable.

April 24, 1961, On praecipe filed, William C. Chase, Attorney enters his appearance for the Defendant and waives the time for filing an answer.

May 3, 1961, By Motion on the Watch-Book, Anthony S. Guido, Attorney, is appointed Master to take testimony and report same with form of Decree.

Certified from the record this 5th day of May, A. D. 1961.


Prothonotary.

Melinda Y. May
VERSUS
Richard L. May

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

No. 526 Term February 1967

To Wm. T. Hagerty
Prothonotary.

Sir: Enter my appearance for defendant and
re. Sendy within the time for filing
an answer.

in above case.

Rich. L. May

Attorney for defendant

No. 576 Term February 1961

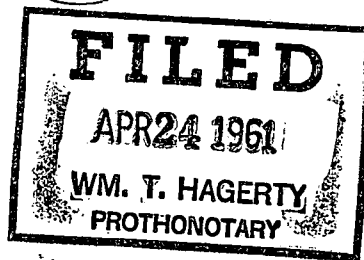
Mildred G. May
f

vs.

Richard L. May
f

APPEARANCE

For Richard L. May
Defendant



IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MILDRED Y. MAY

VS.

RICHARD L. MAY

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No. 526 February Term, 1961

IN DIVORCE

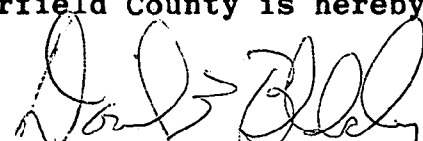
NOTICE OF MASTER'S HEARING

TO: Mildred Y. May
DuBois,
Pennsylvania

You are hereby notified that I have been appointed Master to take the testimony in the above entitled divorce action and to report the same to the Court; and that I will hold a hearing for the purpose of my appointment on Friday, May 19, 1961 at 10:30 A.M. in my office at 109 North Brady Street, DuBois, Pennsylvania at which time and place you may appear and be heard.


Master

NOW, May 8th, 1961 service of Notice of Master's Hearing in the above entitled divorce case is hereby accepted and 15 days notice of Master's hearing as required by Rule 11, Section 9, of the Rules of Court of Clearfield County is hereby waived.


Attorney for Plaintiff

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MILDRED Y. MAY

VS.

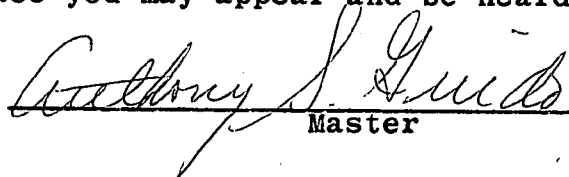
RICHARD L. MAY

:
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: No. 526 February Term, 1961
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: IN DIVORCE

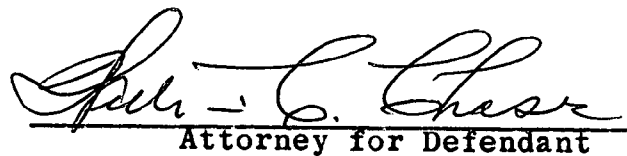
NOTICE OF MASTER'S HEARING

TO: Richard L. May
DuBois,
Pennsylvania

You are hereby notified that I have been appointed Master to take the testimony in the above entitled divorce action and to report the same to the Court; and that I will hold a hearing for the purpose of my appointment on Friday, May 19, 1961 at 10:30 A.M. in my office at 109 North Brady Street, DuBois, Pennsylvania at which time and place you may appear and be heard.


Master

NOW, May 9th, 1961 service of Notice of Master's Hearing in the above entitled divorce case is hereby accepted and 15 days notice of Master's hearing as required by Rule 11, Section 9, of the Rules of Court of Clearfield County is hereby waived.


Attorney for Defendant

In the Court of Common Pleas of Clearfield County, Pennsylvania

XXXXXXXXXXXXXXXXXXXX

MILDRED Y. MAY

Of February Term, 1961

No. 526

VERSUS

RICHARD L. MAY

DIVORCE

And Now, the 29th day of May 1961, the report of the Master is acknowledged. We approve his findings and recommendations; except as to _____

We, therefore, DECREE that MILDRED Y. MAY be divorced and forever separated from the nuptial ties and bonds of matrimony heretofore contracted between ~~XXXXXX~~ herself and RICHARD L. MAY. 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 _____

his
her costs expended in this action.

ATTEST

Wm. J. Hagerty
Prothonotary

BY THE COURT

John H. King
President Judge

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

No. 526 February Term 19 61

MILDRED Y. MAY

Libellant

VERSUS

RICHARD L. MAY

Respondent

DECREE

Attorney

IN THE COURT OF COMMON PLEAS
OF CLEARFIELD COUNTY, PENN'A.
No. 526 - FEBRUARY TERM, 1961

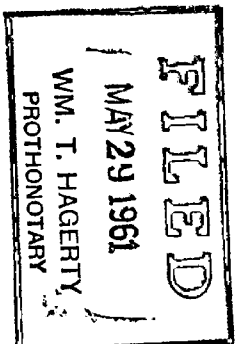
MILDRED Y. MAY

-VS-

RICHARD L. MAY

MASTER'S REPORT
(UNCONTESTED)

Anthony S. Guido,
Esq., Master's
Fee \$ 85.00



LAW OFFICES
GLEASON, CHERRY & CHERRY
7-10 DAMUS BUILDING
DU BOIS, PENNSYLVANIA
109 N. BRADY STREET

*Now this 29th day of May, 1961, Seize Accepted & Noted
of Prothonotary*

*W. T. Hagerty
Notary for Clearfield*