

DOCKET NO. 174

NUMBER	TERM	YEAR
<u>582</u>	<u>May</u>	<u>1961</u>

Melva Belle Evans

VERSUS

Curtis Wayne Evans

Clearfield County, ss:

The Commonwealth of Pennsylvania, to Donald R. Mikesell, 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

Melva Belle Evans

Plaintiff ,

and Curtis Wayne Evans

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 in 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 23rd 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.

*Donald R. Mikesell*   
COMMISSIONER.

No. 582 May Term. 1961

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Melva Belle Evans

VERSUS

Curtis Wayne Evans

COMMISSION

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Bell, Silberblatt  
and Swoope  
Attorney.

1100

Mar 20

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

Melva Belle Evans :  
vs : 582 MAY TERM, 1961  
Curtis Wayne Evans :  
:

DOCKET ENTRIES

JULY 25, 1961, COMPLAINT IN DIVORCE filed. One copy certified to the Sheriff.

July 28, 1961, Sheriff's Return, filed:

NOW, July 26, 1961, at 10:45 o'clock A.M. served the within Complaint In Divorce on Curtis Wayne Evans at Market Street, Clearfield, 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. So answers, Charles G. Ammerman, Sheriff.

NOW, February 23, 1962, By motion on the Watch Book, Don E. Midesell, Esquire is appointed Master to tak testimony and report same in form of Decree. By The Court, John J. Pentz, P. J.

Certified from the records this 23rd day of February, 1962.

Carl E. Walker

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MELVA BELLE EVANS : : No. 582 May Term 1961  
-vs- : : IN DIVORCE  
CURTIS WAYNE EVANS : :

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MASTER'S REPORT

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

The Master appointed by your Honorable Court to take testimony and report the same with Form of Decree in the above entitled case, respectfully reports as follows:

II

DOCKET ENTRIES AND SCHEDULE

July 25, 1961 - Complaint in Divorce filed. One copy certified to Sheriff. Filed in the Court of Common Pleas of Clearfield County, Pennsylvania, to No. 582 May Term 1961.

July 26, 1961 - Complaint in Divorce personally served upon Curtis Wayne Evans, the Defendant, by Charles G. Ammerman, Sheriff of Clearfield County, at Market Street, Clearfield, Pennsylvania, by handing to him personally a true and attested copy of the original Complaint in Divorce and making known to him the contents thereof.

February 23, 1962 - By motion on the Watch Book, Donald R. Miksell, attorney, is appointed Master to take the testimony and report the same with Form of Decree.

February 27, 1962 - The Master set Tuesday, March 20, 1962, at 1:15 o'clock P.M., Eastern Standard Time at the offices of Urey & Miksell, Clearfield Trust Company Building, Clearfield, Pennsylvania, as the time and place for the hearing.

February 28, 1962 - Notice of Master's Hearing personally served upon Curtis Wayne Evans, Defendant, by John B. Walker, Constable of Clearfield County, at the home of Mr. Fred Evans, located at Turnpike Extension, Lawrence Township, Clearfield County, Pennsylvania, by handing to him personally, a true and attested copy of the original Notice of Master's Hearing and making known to him the contents thereof.

March 1, 1962 - Service of Master's Notice of Hearing upon Morris L. Silberblatt, Esq., Attorney for the Plaintiff, accepted and copy received.

March 1, 1962 - Service of Master's Notice of Hearing upon Melva Belle Evans, Plaintiff, accepted and copy received.

March 20, 1962 - At the time and place set for hearing, there appeared Melva Belle Evans, Plaintiff; Morris L. Silberblatt, Esq., attorney for the Plaintiff.

The Defendant, Curtis Wayne Evans, did not appear, nor was he represented by counsel at the hearing before the Master.

### III

Attached hereto are all the filed papers arranged in order of filing.

### IV

#### CAUSE OF DIVORCE

Indignities

### V

#### FINDINGS OF FACT

1. Marriage: The Plaintiff and the Defendant were married on September 24, 1954 at Winchester, Virginia, by Reverend Garland, a Methodist Minister.

2. Residence: At the time of their marriage on September 24, 1954, the Plaintiff resided in Clearfield R. D. 2, Lawrence Township, Clearfield County, Pennsylvania; the Defendant resided at Clearfield R. D. 1, Lawrence Township, Clearfield County, Pennsylvania.

Following their marriage they took up their marital domicile at a house located on the land of the husband's parents, Mr. and Mrs. Fred Evans, Trunkpike Extension, Clearfield R. D. 1, Lawrence Township, Clearfield County, Pennsylvania, where the Plaintiff still resides until the present time. The Defendant moved from the marital residence in August of 1961, and resided with his father and mother near the aforementioned property.

3. Citizenship: The Plaintiff has been a resident of the Commonwealth of Pennsylvania all of her natural life, i. e., 23 years. The Defendant has been a resident of the Commonwealth of Pennsylvania all of his natural life, i. e., 25 years. Both parties are citizens of the Commonwealth of Pennsylvania and of the United States.

4. Age and Occupation: The Plaintiff is 23 years of age and is employed as a waitress. The Defendant is 25 years of age and is employed as a brick layer.

5. Children: There were two children born to the parties herein as follows:

Chris Edward Evans, who is now 6 years of age, and is residing with the Plaintiff.

Diane Lyne Evans, who is now 4 years of age, and is residing with the Plaintiff.

6. Military Service: The Defendant, as appears by the testimony of the Plaintiff, Melva Belle Evans, is not a member of any branch of the Armed Forces of the United States.

7. Findings on the Merits: The grounds for Divorce averred in the Complaint is Indignities to the Person.

(a). Plaintiff and the Defendant were married September 24, 1954.

(b). The testimony shows that difficulties between the parties began four or five years after their marriage, or in 1959. It seems that the Defendant started running around with another women and stayed away from home on numerous occasions until the early hours of the morning. The Plaintiff confronted the Defendant with his actions and asked of his whereabouts, which caused arguments and fights between them.

(c). The testimony indicates that the Defendant's running around with another women, prior to the separation, was common knowledge to the neighbors and other persons who were acquainted

with the Plaintiff, which caused the Plaintiff to be humiliated and embarrassed.

(d). The Defendant neglected his wife and children and kept steady company with another woman and finally went to live with the other woman, on or about August 16, 1960.

(e). Following the separation the Defendant has been very brazen in his conduct, and even brought the other woman to the Plaintiff's home when he came to visit the children. The Defendant's conduct has made the Plaintiff's marital status a matter of common talk among the friends and acquaintances of the Plaintiff, and has caused the Plaintiff to be in a constant state of embarrassment and humiliation.

(f). Prior to the separation, the Plaintiff tried to talk with the Defendant in an effort to have him straighten out and had his parents talk with him, but both were unsuccessful in their attempts to save this marriage. The Plaintiff has made an effort to make a go of her marriage, and has always provided a clean and comfortable home for her family.

(g). The Plaintiff filed an Action of Support against the Defendant on November 9, 1960, said Action is filed to No. 3 November S. S. 1960. On November 30, 1960, the Court ordered that the Defendant pay for the support of his wife and two children the sum of Forty (\$40.00) Dollars per week. All payments to be made through the Probation Office of Clearfield County.

The Plaintiff claims that the Defendant is behind in his Support Payments for a period of three or four months.

The Master checked with the Probation Office of Clearfield County, and found that payments were very irregular and that at the time of this report, the Defendant was about eighteen (18) months in arrears.

(h). Neither the Plaintiff nor the Defendant has ever applied in this Court or any other Court for a Divorce from the other party in this action.

(i). It appears that the Defendant had no sense of fidelity and completely disregarded the feelings and sensibilities of his wife. His continuous running around with another woman became common knowledge of the Plaintiff's friends and acquaintances in and about her home in Lawrence Township, much to the humiliation and embarrassment of the Plaintiff.

(j). The Defendant's conduct was unwarranted and his treatment of the Plaintiff has been such as to render the condition of any woman of decent morals and reputation in her community intolerable and her life burdensome.

(k). The Plaintiff is the injured and innocent spouse.

(l). There is no agreement between the parties in reference to the procuring of a divorce.

8. If the testimony of the Plaintiff is to be believed, there could be no question that she is entitled to a Divorce on the ground of indignities. The Plaintiff did not produce any witnesses to corroborate her testimony, however, the Master had an opportunity of observing and listening to the testimony of the Plaintiff and accepted it as credible.

The Plaintiff's story was told in a straight and forward fashion, and demonstrates a course of conduct on the part of the Defendant, which made the Plaintiff's condition in life intolerable and her life burdensome.

In the course of their difficulties, the Plaintiff was absolutely the injured and innocent spouse, and there is nothing that indicates that the Defendant has any justification for his treatment of the Plaintiff.

The Defendant did not see fit to appear and in any way deny any of the allegations or charges of the Plaintiff.

Your Honorable Court in the case of Haney vs. Haney, 91 February Term, 1958, in Clearfield County, recognized that the evidence of the plaintiff, even though uncorroborated, if believed, was sufficient on which to grant a divorce.

See also BRIGGS vs. BRIGGS, 145 Pa. Superior, page 460, in which it was held that the libellant is a competent witness and his testimony, if credible and sufficient, may furnish sufficient support for a decree in his favor.

See also KRUG vs. KRUG, 22 Pa. Superior, Page 572, in which the Master in this case awarded a decree in favor of the libellant where her testimony was not corroborated and even though it was flatly denied by the respondent.

See also FREEDMAN, Vol 2, Paragraph 758, Page 1467, in which it is stated that a divorce may be granted on the uncorroborated testimony of the libellant. A divorce was granted.

On the uncorroborated testimony of the plaintiff in the case of CURLEY vs. CURLEY, 416 November Term, 1956, a Clearfield County case, a decree in divorce was granted on the grounds of desertion on testimony of the plaintiff only.

Indignities has been defined by the Courts as vulgarity, unmerited reproach, habitual contumely, studied neglect, intentional incivility, manifest disdain, abusive language, malignant ridicule, and every other plain manifestation of settled hate and estrangement.

In the case of Trimbur Appellant vs. Trimbur reported in Vol. 171 Pa. Superior Court at Page 541, the Court at page 546 states:

"An indignity to the person is an effront to the personality of another, a lack of reverence for the personality of one's spouse. It consists of various acts, so varied in their nature and impact that the Courts have not undertaken to define the offense in more than general terms. Carwford vs Crawford, 64 Pa. Super., 30; Breene vs. Breene, 76 Pa. Super. 586. But the offense is complete when a continued and persistent course of conduct demonstrates that the love and affection upon which the matrimonial status rests has been permanently replaced by hatred and estrangement. For then, when the foundation has collapsed the super structure falls, and inevitably the marital conditions become intolerable and life is indeed burdensome."

It is also to be noted, that in the case of Smith vs. Smith, Appellant reported in Vol 157 Pa. Superior Court at Page 582, the Court on Pages 586 and 587 held: (See also Lowe vs. Lowe, 148 Super. Court 439)

That the Defendant's long, intimate and public association with another man constituted an indignity even though it began after the parties had separated.

It is the opinion of the Master that the Defendant persisted in a course of conduct which manifested studied neglect and settled hatred and estrangement, which rendered the Plaintiff's condition intolerable and her life burdensome. Thus the Plaintiff has established a Case of Action for Divorce on the grounds of Indignities to the Person.

VI

CONCLUSIONS OF LAW

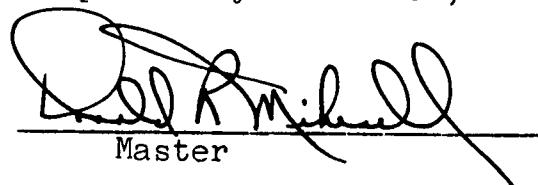
1. The parties to this proceeding were legally united in marriage.
2. This action was properly brought and the Court has jurisdiction of the parties.
3. There is no evidence of collusion in this case.
4. The Defendant is guilty of such Indignities to the Person of the Plaintiff as to render the Plaintiff's condition intolerable and her life burdensome.

VII

RECOMMENDATION

The Master recommends that an absolute divorce be granted.

Respectfully submitted,



Master

In the Court of Common Pleas of Clearfield County, Pennsylvania

XX XX XX XX XX XX XX

MELVA BELLE EVANS } Of May Term, 19 61  
\_\_\_\_\_  
No. 582  
VERSUS  
CURTIS WAYNE EVANS }  
\_\_\_\_\_  
DIVORCE

And Now, the 29 day of May 19 62, the  
report of the Master is acknowledged. We approve his findings and recommendations; except  
as to \_\_\_\_\_

We, therefore, DECREE that MELVA BELLE EVANS be  
divorced and forever separated from the nuptial ties and bonds of matrimony heretofore con-  
tracted between himself and CURTIS WAYNE EVANS.

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 \_\_\_\_\_

MELVA BELLE EVANS his costs expended in this action.  
her

ATTEST

Prothonotary

BY THE COURT

President Judge

*John H. Peet*

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

No. 582 May Term 1961

MELVA BELLE EVANS

*Libellant*

*VERSUS*

CURTIS WAYNE EVANS

*Respondent*

**DECREE**

MELVA BELLE EVANS  
Plaintiff  
vs.  
CURTIS WAYNE EVANS  
Defendant

In the Court of Common Pleas,  
of Clearfield County, Pennsylvania,  
No. 582 May Term 1961.

## Complaint in Divorce

- 1 (a) The name of the plaintiff is Melva Belle Evans.
- (b) The name of the defendant is Curtis Wayne Evans.
- 2 The plaintiff resides at Lawrence Township, Turnpike Extension, Clearfield R. D. #1.
- 3 (a) The defendant is a citizen of United States and was last known to reside at home of his parents, Mr. & Mrs. Fred Evans, Turnpike Extension, Clearfield R. D. #1, where he is presently residing.
- 4 The plaintiff has resided in the Commonwealth of Pennsylvania for ten years, and has been a bona fide resident of Clearfield County, Pennsylvania for at least ten years past.
- 5 The plaintiff and defendant were married on Sept. 24, 1954 at Winchester, Virginia, by Reverend Garland, a Methodist minister.
- 6 The defendant has:
- (a) Committed adultery and malicious desertion, and abandons the plaintiff, the injured and innocent spouse, without reasonable cause, for residing with another during the time and place of marriage.
- (b) Offered such indignities to the person of the plaintiff who is the injured and innocent spouse, as to render her condition intolerable and her life burdensome.
- (c) Committed adultery and malicious desertion, and abandons the plaintiff, the injured and innocent spouse, without reasonable cause, for residing with another during the time and place of marriage.
- (d) Committed adultery.
- 7 That the plaintiff and defendant have entered into no collusive arrangement regarding this action.
- 8 That neither of the parties, plaintiff or defendant, has ever applied in this or any other court for a divorce from the other party to the action, or for annulment of marriage. (If so, state when and in what court and place, and to what number and term the action was brought, and the result of such action.)
- 9 Two children were born to this marriage, namely, Chris Edward, age 5 and Diane Lyne, age 3, both of whom reside with the Plaintiff at Turnpike Extension, Clearfield R. D. #1.

WHEREFORE, plaintiff respectfully prays that a decree of this Honorable Court may be made for the divorcing and separating of the said Curtis Wayne Evans, defendant, from plaintiff's society, fellowship and company for all time to come, and the said plaintiff from the marriage bond aforesaid, as if they had never been married, or as if the said defendant were naturally dead, and Plaintiff prays for a divorce a vinculo matrimonii.

BELL, SILBERBLATT & SWOOP

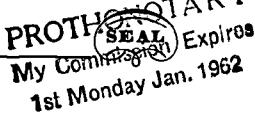
Commonwealth of Pennsylvania,  
County of Clearfield } ss.

By M. L. Silberblatt 

(Atty. for Plaintiff)

Personally appeared before me, a Notary Public, in and for said county, Melva Belle Evans, the above named plaintiff, who being duly sworn, according to law, deposes and says that the facts contained in the above complaint are true and correct, to the best of his/her knowledge and belief, and that said complaint is not made out of levity, nor for the mere purpose of being freed and separated from each other, but in sincerity and truth, for the causes mentioned in said complaint.

Sworn and subscribed before me this

25th day of January, A.D. 1961 Melva Belle Evans   
Wm T. Hegerty   
PROTHOTARY  
My Commission Expires  
1st Monday Jan. 1962

In the Court of Common Pleas of

Clearfield County, Pennsylvania

No. 587 May Term, 1961

MELVA BELLE EVANS

versus

CURTIS WAYNE EVANS

### Complaint in Divorce

To Curtis Wayne Evans

Clearfield, Pa., Pa.  
Defendant

*Aug 1st 1961*  
*267*

You are hereby notified to plead within  
20 days from service of this Complaint.

BELL, SILBERBLATT & SWOPE

By *M. L. Silberblatt*  
Plaintiff's Attorney

Address P. O. Box 670  
Clearfield, Pa.

*450 copy*

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MELVA BELLE EVANS :  
vs : No. 582 May Term, 1961  
CURTIS WAYNE EVANS :  
:

RETURN OF SERVICE

COMMONWEALTH OF PENNSYLVANIA :  
: SS  
COUNTY OF CLEARFIELD :  
:

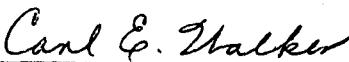
JOHN B. WALKER, Constable, being duly sworn according to law, deposes and says that:

On February 28, 1962, at 10:30 o'clock A.M. E.S.T., served the within Notice of Master's Hearing in Divorce upon CURTIS WAYNE EVANS, the within named Defendant, at his father's house located at Turnpike Extension, in the Township of Lawrence, Clearfield County, Pennsylvania, by handing to him personally, a true and attested copy of the Notice of Master's Hearing and made known to him the contents thereof. The person so served was known to be the Defendant by his own admission.

Further deponent saith not.

  
John B. Walker, Constable

Sworn to and subscribed  
before me this 28th  
day of Feb. , 1962.

  
Carl E. Walker

PROTHONOTARY  
My Commission Expires  
1st Monday Jan. 1966

IN THE COURT OF COMMON PLEAS OF CLEARFIELD COUNTY, PENNSYLVANIA

MELVA BELLE EVANS :  
vs. : No. 582 May Term, 1961  
CURTIS WAYNE EVANS :  
:

NOTICE OF MASTER'S HEARING

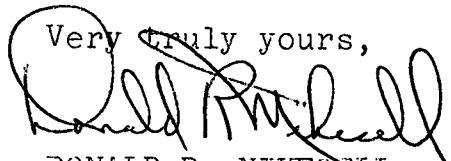
To: Mrs. Melva Belle Evans  
R. D. 1  
Clearfield, Pennsylvania

Dear Mrs. Evans:

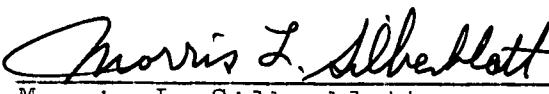
This is to advise you that I have been appointed Master by the Court in the above entitled case to take the testimony of the witnesses and to make a report on the same, together with a recommendation.

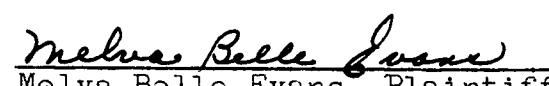
For this purpose I have fixed Tuesday, March 20, 1962, at 1:15 o'clock P.M. Eastern Standard Time at my office in Room 21 in the Clearfield Trust Company Building, Clearfield, Pennsylvania, as the time and place for the hearing, when and where you may appear with your witnesses and be heard if you so desire.

Dated at Clearfield,  
Pennsylvania, this  
27th day of February, 1962.

Very truly yours,  
  
DONALD R. MIKESELL  
Master

NOW March 1, 1962, service of the above Notice of Hearing in Divorce is accepted and personal service waived.

  
Morris L. Silberblatt,  
Attorney for Plaintiff

  
Melva Belle Evans, Plaintiff

IX TESTIMONY AND EXHIBITS

Report of Testimony

The hearing before the Master convened at his office in Room 21, Clearfield Trust Company Building, at 1:15 o'clock P.M. Eastern Standard Time, Tuesday, March 20, 1962.

Appearances were entered as follows:

Melva Belle Evans, Plaintiff, appeared in person with her attorney, Morris L. Silberblatt, Esquire.

The Defendant, Curtis Wayne Evans, did not appear nor was he represented at the hearing by counsel.

MELVA BELLE EVANS, being duly sworn according to law, testified as follows:

BY MR. SILBERBLATT:

Q. Is your name Melva Belle Evans?

A. Yes.

Q. Were you married to Curtis Wayne Evans?

A. Yes.

Q. Do you know the date you married him?

A. September 24, 1954.

Q. And, where did you marry him?

A. Winchester, Virginia.

Q. Do you remember the name of the minister?

A. Yes, Reverend David Garland.

Q. And, what was his denomination?

A. Methodist.

Q. At the time you married your husband, where did you live?

A. Clearfield R. D. 1.

Q. And where did your husband live before you were married?

A. Clearfield R. D. 1, I lived at Clearfield R. D. 2.

Q. Was your home at Clearfield R. D. 1?

A. No, R. D. 2, before I was married.

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

Melva Belle Evans No 582 May Term 1961  
vs  
Curtis Wayne Evans Complaint In Divorce

Now, J<sup>ly</sup> 26, 1961 at 10:45 O'Clock A.M. served the within Complaint in Divorce on Curtis Wayne Evans at Market Street, Clearfield, 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.

Costs Sheriff Ammerman \$7.00  
(Paid by Atty Silberblatt)

### So Answers,

Charles G. Ammerman  
Sheriff

Sworn to before me this 26th  
day of July 1961 A.D.

W<sup>m</sup> T. Hickey  
Prothonotary.

Q. Did your husband live in Clearfield R. D. 1?

A. Yes.

Q. Both of you lived in Lawrence Township?

A. Yes.

Q. How long did you know him before you were married?

A. Three years.

Q. How long had you gone with him before you were married?

A. Three years.

Q. After you were married where did you live?

A. Clearfield R. D. 1.

Q. Is that the residence of his people?

A. Yes, we lived in a house by our self.

Q. Did you have furniture?

A. Yes.

Q. Are you a citizen of the United States?

A. Yes.

Q. Is your husband a citizen of the United States?

A. Yes.

Q. Are you living in Clearfield County at the present time?

A. Yes.

Q. Is your husband living in Clearfield County at the present time?

A. Yes.

Q. You are both citizens of the State of Pennsylvania?

A. Yes.

Q. Were there any children born in this marriage?

A. Yes, two.

Q. What are their names?

A. Chris Edward Evans.

Q. What is his age?

A. Six years old.

Q. Where is he living?

A. With me.

Q. What is your second child's name?

A. Diane Lyne Evans.

Q. What is her age?

A. Four years old.

Q. Where is she living?

A. With me.

Q. Where is that?

A. Turnpike Extension, Clearfield R. D. 1.

Q. What is your age?

A. Twenty-three.

Q. What is your occupation?

A. Waitress.

Q. What is the age of your husband?

A. Twenty-five.

Q. What is his occupation?

A. Bricklayer.

Q. Were you ever in the military service?

A. No.

Q. Was your husband ever in the military service?

A. No.

Q. After you married your husband did you get along all right?

A. Yes.

Q. What caused the trouble between you and your husband?

A. He started running around.

Q. Did people tell you about his running around?

A. Yes.

Q. Did you ever see him with any other women?

A. One woman.

Q. Did he go out with this particular woman on several occasions?

A. Yes.

Q. Was this affair of a serious nature?

A. Yes.

Q. Is he now living with her?

A. Yes.

Q. Did he do anything else to cause you trouble?

A. Yes, he beat me once.

Q. How did he beat you?

A. He beat me badly.

Q. How long after you were married?

A. About a year ago.

Q. Did he ever call you any names?

A. Yes.

Q. What did he call you?

A. He would swear at me.

Q. Did he swear often?

A. Quite a bit.

Q. Did your husband come home regularly?

A. No.

Q. Did he stay out late at nights?

A. Yes, I never knew where he had been.

Q. Did he always refuse to give an explanation of his whereabouts?

A. Yes.

Q. Did this cause arguments and spats between you and your husband?

A. Yes.

Q. Did you try to make your married life a happy one?

A. Yes.

Q. Did you ask your husband to change his ways in an effort to change your marriage?

A. Yes.

Q. Did he agree to change?

A. No, he said it was up to me.

Q. Did you try to make a comfortable home for your husband?

A. Yes.

Q. Did you ever apply for a Divorce?

A. No.

Q. This is your first marriage?

A. Yes.

Q. Did you do everything you could do to make your married life a happy one?

A. Yes.

Q. Is he supporting you and your children?

A. He is supposed to, but he is behind in payments.

Q. How many payments?

A. Three or four months.

Q. Has your lawyer ask him to pay arrearages?

A. Yes.

Q. When did your husband leave you?

A. About August 16, 1960.

Q. Have you and your husband lived together as husband and wife since that time?

A. No, he has been living with another woman.

BY MR. MIKESELL:

Q. Where did you live at the time you were married?

A. In Turnpike Extension R. D. 1.

Q. Did you own your own place?

A. No, we rented a house.

Q. How long did you live together before you had any difficulty?

A. Six or seven years, six years.

Q. Where did you hear about his running around, from neighbors?

A. No relatives, his own people, he would come in at one and two o'clock and he would say that he was at such and such a place with this girl's brother, but he was with her.

Q. Did other people tell you that they saw him?

A. Yes.

Q. Was it common knowledge around the neighborhood?

A. Yes, all my friends knew it. They would come out to a store in our neighborhood.

Q. How did that affect you?

A. It made me nervous.

Q. Were you embarrassed?

A. Very much so, he didn't care who saw him with her, he would come in front of my house with her.

BY MR. SILBERBLATT:

Q. Can you name the girl?

A. Yes.

Q. She is in this building and it might be embarrassing.

BY MR. MIKESELL:

Q. Did he ever come to see your children?

A. Yes.

Q. Does he have any love for them?

A. He will take and keep them over night, I don't know. The girl he has been living with has one baby to him already, and is expecting another one of his babies in the next few months.

Q. Is this common knowledge in your neighborhood?

A. All the neighbors and relatives know about it, he even bragged about it.

BY MR. SILBERBLATT:

Q. What do his people say about him?

A. They are church going people, they do all that can to help me, they even babysit.

BY MR. MIKESELL:

Q. Have you filed proceedings for support against your husband?

A. Yes.

BY MR. SILBERBLATT:

The Non-support proceedings by Mrs. Melva Belle Evans against her husband against the Support Order for herself and two children which are filed to No. 3 November Sessions 1960 are offered in evidence.

BY MR. MIKESELL:

Let them be admitted.

BY MR. SILBERBLATT:

Q. Do you know when you get a divorce that the court may cut down your allowance?

A. Yes.

Q. Do you and your husband have any agreement between you in regard to procuring this divorce?

A. No, I haven't talked to him.

Q. Do your husbands actions and attitudes toward you and your children, make it impossible to live with him as his wife?

A. Yes.

There being no further testimony the hearing was adjourned at 1:45 o'clock.

I hereby certify that the within is a correct transcript of the notes of testimony taken by me in the above stated hearing.

Laura Mills  
Stenographer

—Lap over margin—

Dear Mr. & Mrs. G. H. D. Miller  
Dear Mr. & Mrs. G. H. D. Miller

<p>IN THE COURT OF COMMON PLEA OF CLEARFIELD COUNTY, PENNA No. 582 May Term, 1961 In Divorce</p>	
<p>MELVA BELLE EVANS vs CURTIS WAYNE EVANS</p>	<p><u>MASTER'S REPORT</u></p>
<p>Uncontested</p>	
<p>Donald R. Mikesell Master's Fee</p>	<p>\$75.00</p>
<p>Donald R. Mikesell Service of Master's Notice by Constable 3.00</p>	
<p>TOTAL</p>	<p>\$78.00</p>
<p><b>F T T</b> MAY 26 1962 CARL E. PROTHO, JUDGE CLEARFIELD, PA.</p>	
<p>UREY &amp; MIKESELL ATTORNEYS AT LAW CLEARFIELD TRUST COMPANY BUILDING CLEARFIELD, PA.</p>	

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UREY & MIKESSELL  
ATTORNEYS AT LAW  
CLEARFIELD TRUST COMPANY BUILDING  
CLEARFIELD, PA.

CARL E. PROTHO, JR.

**TOTAL** **\$78.00**

Donald B. Mikesell  
Master's Fee \$75.00

Donald R. Mikesell  
Service of Master's  
Notice by Constable 3.00

MICHIGAN

MELVA BELLE EVANS  
vs  
CURTIS WAYNE EVANS

IN THE COURT OF COMMON PLEAS  
OF CLEARFIELD COUNTY, PENNA.  
No. 582 May Term, 1961  
In Divorce