

Children of Reckless Parents in More Peril Than Those of Parents Who Are Divorced



A Chicago Judge Says 50 Per Cent. of Boys Arrested in That City for Misdemeanors and Girls Who Go Wrong Are Offspring of Divorcees.

"Of 12,000 Youngsters Annually in the Children's Court in New York, I Recall Only Two Whose Parents Were Divorced," Says Judge J. B. Mayo.

By Marguerite Mooers Marshall.

One of the pet arguments of persons opposed to divorce on any grounds whatsoever is the alleged mortal injury which the legal cleavage of their parents inflicts upon children. A small boy may live in joyous peace under the shadow of his father's drunken cruelty. A small girl may be ennobled and uplifted by the influence of her coarsely sensual mother. Any child may develop an affectionate, hopeful nature when left in the care of a man and woman bound together by supreme loathing. The one utterly ruinous betrayal of the child-soul is the parental act of operating upon a cancerous mass of dead hope and affection with the legal instrument allowed, the process known as "getting a divorce."

I never could follow this logic, but there are plenty who can. They will undoubtedly find confirmation and consolation in the recent assertion of Chief Justice A. J. Pettit of Chicago. Judge Pettit advocates another mind-your-neighbor-business reform, a bureau to approve matrimonial candidates only on the basis of their past experience, or rather of their lack of it.

In justification of his decidedly medical scheme he declares: "Fifty per cent. of the boys arrested for misdemeanors in Chicago and the young girls who go wrong are the children of parents who have been divorced. IT IS PROVED TO BE DIFFERENT IN NEW YORK."

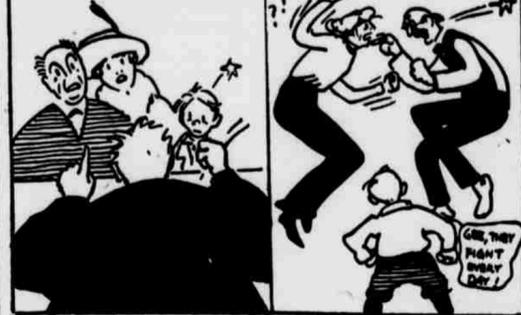
Now let the anti-divorce advocates make the most of that! For the rest of us, I have to report that not more than one-tenth of one per cent. of the children appearing in New York's Children's Court are the offspring of divorced parents. That estimate is furnished by Judge John B. Mayo, whose experience with juvenile delinquents covers several years.

In Manhattan and the Bronx alone from 10,000 to 12,000 children are brought annually to the Children's Court," Judge Mayo told me. "And in the last year I can't remember more than two instances where the parents in the case were divorced."

"In many cases of juvenile delinquency the parents are the real offenders, however. If they seek proper care of their children the latter would not be brought before me. I don't mean that the parents deliberately teach the children to break the law, or, in most instances, connive at their doing so. But there is neglect."

"Sometimes one or both of the parents are frequently overcome by intoxication. Then the youngsters are not cared for properly, and are allowed to pick up bad associates and get into bad ways. Other children are neglected by honest and conscientious parents who are away all day at work. The mother works as well as the father, and the children find their homes locked against them when they return from school. The street is left to them. At night their parents are often too tired to exact an account of the day's doings, and so

THE JUDGE OFTEN SCOLDS THE PARENTS AND SENDS THEM HOME



youngful sinners appearing before him—which is as it should be. "I have almost never come in contact with a case of too harsh discipline," he said.

"The modern parent is afraid to punish his child. There is much more danger of his not being sufficiently firm than of his obeying Solomon's familiar injunction too literally. If a father or mother attempts to whip a New York child, no matter how lightly, the child threatens, 'You touch me and I'll tell the Gerry Society!'"

Which is a truly Partisan shot from the young idea! "However, this court believes in teaching the parent control of the child," Judge Mayo went on. "We always make an effort to keep the home together. As I said, we find that when the parent errs it is almost always through ignorance or thoughtlessness, not through wanton ill-feeling. So we give the children a scolding and the parents a lecture and they try again. Most parents will do anything to keep their children. I've had a mother with eight or ten little ones before me and she couldn't be induced to part with one of them, as much work and trouble as they made her."

"We haven't yet found anybody to take better care of children than parents—when they give their minds to it. One proof of this statement is that, of all the parents and children who are brought up before the Children's Court, only a very small percentage are compelled to return a second time."

CHICAGO CONDITIONS ARE A MYSTERY. "But it isn't the children of divorced parents who get into court, according to my observation," concluded Judge Mayo. "I can't understand that enormous percentage of them in Chicago. Of course there is only one reason for divorce in this State, and a number of causes in Illinois."

"The percentage of divorce is high in New York," I submitted. "You yourself concede that many children of drunkards are brought into court. Wouldn't their number diminish if good mothers were allowed to divorce drunken fathers? Doesn't the fact that the children of divorced New Yorkers are so rarely delinquent carry the suggestion that a child gets along better when removed from the influence of a bad parent?"

Judge Mayo smiled a little, but shook his head. "I'm a Catholic, you know," he replied. "So I can't admit any defense for divorce. "Other things being equal, a child brought up by two parents has a better chance in life than a child brought up by one. The influence of both father and mother is a condition of ideal development."

Undoubtedly. But it seems obvious that a strong influence for good on the part of one parent must be more powerful when it is uninterrupted, rather than when it has to spend part of the time combating the other parent's bad influence. This content is inevitable in many cases where a wife endures an impossible husband—or vice versa—"for the child's sake."

"By the way, do children ever get into court because they have been brought up too well?" I was curious enough to ask. "I mean, because their energies have been too strictly repressed in an attempt to enforce discipline?"

Judge Mayo grinned a real grandfatherly grin. I do not believe he seems a very tartish one to the

BOY BLACKHANDER QUICKLY CONVICTED "SQUEALS" ON PALS

Sylvestro, Facing Long Term in Sing Sing for Bomb Throwing, Asks Mercy.

SENTENCE POSTPONED. Youth Faced Prison Term and Decides to Betray Leader to Police

Angelo Sylvestro is going to "squel." The twenty-three-year-old Black Hand "bomb-shooter," convicted in five minutes yesterday before Judge Rosalsky in Court 11 Sessions, of placing a bomb on last Aug. 31 at No. 179 East Houston street and characterized by the Judge as a "brute," has succumbed to his fear of a sentence in State prison of from three and a half to seven years.

Judge Rosalsky had promised him the most severe sentence the law permitted and Sylvestro knew there was no mercy for him. He came into court this morning determined to save himself no matter what the cost to the man who had been his comrades in crime. Eight of them are in the Tombs awaiting trial, but Giuseppe Ferrara or "Joe Fay," as he is best known, and a man named Polaro, the leaders of the gang, are still at liberty, and above all others District-Attorney Whitman would like to convict them.

Cringing and pale, Sylvestro stood at the bar while his counsel, James E. Brande, an ex-Assistant District-Attorney, sought a consultation with Assistant District-Attorney Manley. At its conclusion Mr. Manley addressed the court, saying: "SOARED ONLY LAST NIGHT HE WOULD NOT SQUEAL."

"I think, Your Honor, it would be in the interests of justice if sentence were to be postponed on this prisoner for a week or ten days. "Is he willing to give information of benefit to the District-Attorney?" asked Judge Rosalsky, interested at once, for last night Sylvestro had declared grandiloquently that he would never "squel."

"I am informed that he is willing to do so," said Mr. Manley, and Judge Rosalsky adjourned the sentence until Feb. 14.

Sylvestro, handcuffed, was led out of court to Mr. Manley's office, and Judge Rosalsky, evidently pleased at the turn of affairs, said: "The work done by the police on this case is a credit to the department. I want publicly to commend Detectives Jones, De Martini, Fogarty and Carrao for their work. They are entitled to the thanks of the community."

The breaking down of Sylvestro is regarded by District-Attorney Whitman as of more importance even than the confessions of "Schmitti" Lehman, "Zump" Pucello and Anthony Sadedity, or "Burke," whose tales of the atrocities in which they had taken part with Sylvestro led to the conviction of that young thug. For Sylvestro, it is believed, knows the whereabouts of Fay.

Mr. Whitman had heard that Fay had escaped to Italy, and since the police had been unable to get a line on him he was ready to believe this rumor. Now, however, he has reason to believe Sylvestro has been in communication with Fay within the last two weeks and that the leader had been urging Sylvestro to stand firm and not join the ranks of "squealers."

The first demand made on Sylvestro will be that he "deliver" Fay, and it is believed he will do so. Also, it is hoped he can tell the police how to catch the mysterious Polaro, one of the most active of the "mechanics" or men who "shot the bombs."

Sylvestro was a member of what others of the gang have referred to as "the inner circle." This was a sort of tribunal before which suspected members were tried. Cowardice was punished and the penalty for giving information to the police was death. It has been testified that one Luigiatani paid this penalty on order of the "inner circle."

How important this conviction was revealed by the statement he made last night immediately after the jury had announced its verdict. He said: "JUDGE WANTS RIGHT TO IMPOSE LONG SENTENCE."

"I sent for a member of the Judiciary Committee of the Assembly to-day," said Judge Rosalsky (meaning Assemblyman Suftrin), "and I have arranged with him to introduce in the Legislature a bill making the maximum penalty for the offense of which you have been convicted forty years."

"At present the penalty is limited to a minimum of three and a half and a maximum of seven years, which is totally inadequate. Such men as this defendant and his accomplices should be put out of society for the rest of their lives."

LEGAL FLAW FOUND IN GAYNOR'S WILL, NOW IN QUESTION

Widow and Children Trying to Have Provisions for Guardianship Changed

William J. Gaynor, with all his knowledge of the law, incorporated an illegal provision in his will, according to petitions filed by his three minor daughters to have their mother, Mrs. Augusta C. Gaynor, appointed as their testamentary guardian. The petitioners desire the substitution of their mother for the Kings County Trust Company.

Helen Gaynor, eighteen years old, Marion Gaynor, aged sixteen, who married Ralph Lehman a few days ago and Ruth Gaynor, who is eleven years old, are the minor petitioners. They are acting under advice of counsel, who say they have found the provisions of Mayor Gaynor's will impossible of performance.

By the terms of the will a trust fund was created for the minor daughters, amounting to about \$100,000 for each. The will specified that the Kings County Trust Company should be the guardian of the minor children as well as trustee of the estate.

The Kings County Trust Company has not applied to the Surrogate for appointment as guardian of the children. It is asserted that the trust company cannot act in the dual capacity of guardian of heirs and trustee of the estate.

The Gaynor will provides that any beneficiary who seeks to depart from its provisions shall be disinherited and that if the Kings County Trust Company suffers any heirs to contest the will it shall be removed as trustee and guardian and the Peoples Trust Company of Brooklyn shall be substituted.

Notwithstanding the effort of Mayor Gaynor to have his will stand just as he drew it, the attempt to alter its provisions is now under way. In the petition of the minor heirs opinions are cited to show that the law invariably gives to the surviving parent the guardianship of children—providing, of course, it is no barrier to such a course.

The situation is complicated by the marriage of Marion Gaynor to Mr. Lehman. The marriage makes him her guardian, unless he formally relinquishes the post of her mother.

NATALIE BISHOP WANTS TO RETURN TO FATHER

Was Awarded to Mother at Own Request, but Has Changed Mind.

Miss Natalie Bishop, the fifteen-year-old daughter of Mr. Abigail Hancock Bishop and James Cunningham Bishop, who were divorced last year, has again changed her mind as to who she will make her home with. In the decree awarded Mrs. Bishop by Supreme Court Judge Giegerich, the custody of the daughter was given to Mrs. Bishop at Miss Natalie's request.

Prior to the handing down of the decree she remained in the custody of her father. In Part One of the Supreme Court to-day, Phoenix Ingraham, special counsel for the daughter, asked that the decree be modified so that Natalie may go with her father.

That this step will be met with vigorous opposition by Mrs. Bishop was made plain in a statement made to-day by Mr. Ingraham. The matter will be threshed out before Justice Lehman next Friday.

SIEGEL BANK SEEKS CASH.

Permission From Court to Ask Release of \$100,000 Bond.

Henry Melville, receiver for Henry Siegel & Co., bankers, got permission to-day from Judge Hough in the United States District Court to apply to State Comptroller William Sohmer for the bond of \$100,000 deposited with the Comptroller by the Siegel bank. Judge Hough denied his request that the United States Fidelity & Guarantee Company be directed to turn over to him the cash called for by this bond.

"I do not think the affairs of the bank make it necessary to collect this money at this time but this order will not prejudice a future collection of the money," said Judge Hough.

Nine Butchers Fined for Dist. Nine butchers were fined \$2 each by Magistrate Murphy in the Tombs Police Court yesterday for having meat in their places of business exposed to dirt and filth.

MRS. L. POLK CARTER SOCIETY LEADER GOES TO THE DIVORCE COURT

She and Husband She Sues, With Their Children, Were Saved From Titanic Wreck.

PHILADELPHIA, Jan. 29.—Mrs. Lucille Polk Carter of Bryn Mawr, Pa., a descendant of President Polk, and well known in social circles here, in Baltimore, New York and Newport, filed suit to-day for divorce from her husband, William E. Carter. Both are survivors of the Titanic disaster. Mrs. Carter is now in Baltimore.

The grounds for the divorce suit were not revealed as the papers were impounded. Mr. and Mrs. Carter had two children who also were among those rescued in the Titanic disaster. Mr. Carter is a son of Mrs. William T. Carter. He is a member of the Rednor Hunt, Philadelphia Club, the St. Anthony and Inquet Clubs, the Sons of the American Revolution and the St. Anthony Club of New York.

BANK ROBBERS GET \$20,000.

Masked Band Escape With Plunder From Logansport, La.

NEW ORLEANS, La., Jan. 28.—The Bank of Logansport, La., was plundered to-day by masked robbers, who escaped with \$20,000, according to word received here.

A \$60,000 BLACK PEARL.

SAN FRANCISCO, Jan. 28.—Leon Waronick, known in Tahiti as the "pearl king," arrived on the steamer Tahiti, bringing with him a twenty-carat black pearl of perfect roundness, valued at \$60,000.

Waronick, who represents a French pearl diving syndicate, says in the last year his divers have gathered more than \$50,000 worth of pearls.

QUIT MEAT IF YOUR KIDNEYS ACT BADLY

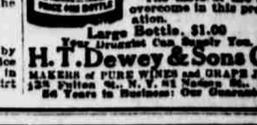
Take tablespoonful of Salts if Back hurts or Bladder bothers.

We are a nation of meat eaters and our blood is filled with uric acid, says a well-known authority, who warns us to be constantly on guard against kidney trouble.

The kidneys do their utmost to free the blood of this irritating acid, but because of the work of the liver they get sluggish, the eliminative process slows down and the waste is retained in the blood to poison the entire system.

When your kidneys ache and feel like lumps of lead, and you have stinging pains in the back or the urine is cloudy, full of sediment, or the bladder is irritable, obliging you to seek relief during the night; when you have severe headaches, nervous and dizzy spells, sleeplessness, acid stomach or rheumatism in head, weather, get from your pharmacist about four ounces of Jad Salts; take a tablespoonful in a glass of water before breakfast each morning for a few days; your kidneys will act fine. This famous salt is made from the acid of grapes and lemon juice, combined with lithia, and has been used for generations to flush and stimulate clogged kidneys, to neutralize the acids in the urine so it is no longer a source of irritation, thus ending urinary and bladder disorders.

Jad Salts is inexpensive and cannot injure; makes a delightful effervescent lithia-water drink, and nobody can make a mistake by taking a little occasionally to keep the kidneys clean and active.



Large Bottle, \$1.00
Six Bottles, 50c
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are observed in getting this tea ready for market. Prepared by machinery to avoid handling; sealed to avoid impurities.

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A 10c Package Makes 40 Cups