

# New Court of Domestic Relations a Boon to Many

## To Be Opened in This City Next Month for the Benefit of Quarrelling Husbands and Wives.

On Thursday, September 1, there will open in New York City for the boroughs of Manhattan and the Bronx and in Brooklyn for the borough of Brooklyn the new Court of Domestic Relations, the first of this type ever organized. Results of a far-reaching character are expected from this new phase of legal procedure, and it is hoped by those who labored for the institution of this new court that among the results will be a decrease in the number of divorces asked for and more widespread domestic happiness.

The new court will have jurisdiction over all cases involving discord between husband and wife, such as abandonment, non-support, cruel and abusive treatment, and cases where children are charged with non-support of aged parents. The first class will constitute the bulk of business brought before the new court, and it is believed that the magistrate presiding will be a very much occupied official.

The court in Manhattan is to sit at the 21st street court building, and is to occupy space on the lower floor, where a specially arranged room has been put in readiness, that Magistrate McAfee will designate two of his associate magistrates to preside, each sitting for fifteen days a month. The courtroom has been arranged in such a way that women coming there may feel as much freedom as possible in detailing their troubles. They will not be obliged, as has been the case in the past, to come in contact with the type of criminal and cases before the district courts, and it is believed that they will not have to wait long for a hearing. The magistrates sitting in the Court of Domestic Relations will in time become specialized on the class of cases coming before them, and it is felt that this will bring about a more uniformity of adjudication.

### MAGISTRATES EXPECT RELIEF.

It is said that the Board of Magistrates is unanimous in its belief that the new court will not only bring relief to the district courts but will prove of the greatest value in solving the many and perplexing questions that are sure to come before it. For one thing, it will be the aim of the court when the delinquency of a husband is brought to its attention to issue a summons for the man to appear, rather than a warrant for his arrest. The court will then try to settle the matter by a heart-to-heart talk before subjecting him to the ignominy of arrest and perhaps arousing a feeling of bitterness.

The average citizen whose domestic life is fairly harmonious seldom pays much heed to the marital disagreements of others, but when one stops to reflect that two of the city magistrates out of the board of sixteen are to do nothing but try to patch up family troubles it becomes evident that there must be many married folk who are living unhappily. The new court will hear those causes of disagreement which are the earliest indications of possible divorce, and will try to lessen the burden of the divorce court by bringing the money to its petitioners.

A retrospective glance at some recent matrimonial jars which have been aired in court will serve to show the nature of the cases that will come before the new tribunal and severely test the judicial quality of the magistrates.

Cases that seem trivial to the point of being ludicrous bring people into court. Only the other day a Cleveland woman brought suit against her husband because

he persisted in playing solitaire so much that he neglected his business and refused to pay her the least bit of attention.

"I've seen him spend whole days playing solitaire," she told the court, "and he would snap at me like a dog if I tried to speak one word to him."

A curious case of dispute between husband and wife came up the other day before Justice Bischoff in the supreme court in this city. Mrs. Emily Mahler asked of her husband, Hans Mahler, he enjoined from working for a certain importing company and that he be obliged to keep his contract to work in her employ. The husband, on the other hand, said that he could get better pay when working for the rival concern.

The mother-in-law as a casus belli in families is no new figure, but it was maintained for an Indianapolis wife, Mrs. Clara Brandon, to find a new and novel method of suppressing a mother-in-law. Mrs. Brandon used fly-paper to close the mouth of her garrulous mother-in-law and thereby lost her as a member of her family, but since, in her opinion, this was a "consummation devoutly to be wished," Mrs. Brandon Jr. has no regrets.

Some years ago a woman came to Samuel Untermyer asking him to procure a divorce for her that her husband might be made to stop drinking so heavily. This she declared, was the only reason she had for wanting a divorce. She had an idea that it was in the power of the court to order her husband to cease drinking and to enforce such an order, and she was willing to be divorced to obtain this blessing. When the husband found what was in his wife's mind he was so impressed that he stopped drinking and the two are now living happily together.

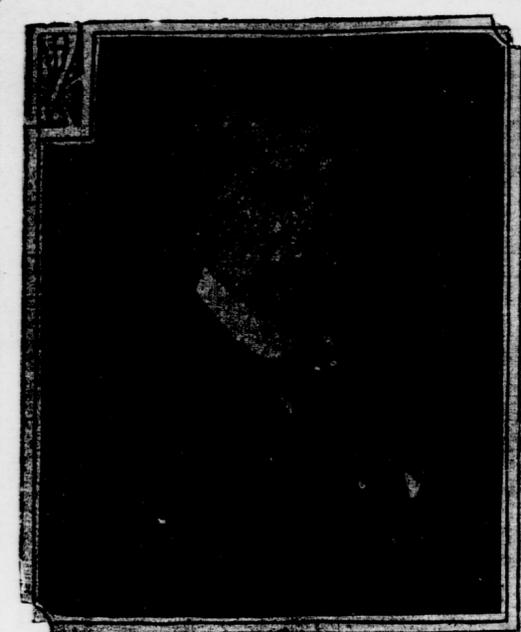
### AN OPPRESSIVE JOKE.

A Chicago wife not long ago petitioned for separation from her husband because he would persist in "trying out all his new jokes and stories on her, many times over, before he was ready to spring them at a dinner or public gathering."

"I could endure this," she said in giving her testimony, "if it were not that he would become violently angry if I forgot to laugh or applaud him every time."

One of the allegations brought by the wife of a New York man who obtained a divorce recently in Nevada was that her husband had said to her on their wedding journey to Europe, "I just want you, my wife, to be an echo of my mind, to shine by my reflected mind." But the wife decided that posing as an echo was too great a mental strain on her.

This wife also testified that her husband had told her to "go to hell." This seems to be one of the favorite places to which some husbands would consign their wives. Others actually see to it that this uncomfortable place is kept near home. An unfortunate Chicago woman eloped with the family boarder, who swore that he would be kind to her. But she was a mother as well as a wife, and after a few days her heart hungered for her babies and she came back home and begged her husband to let her stay with her children. The husband made the condition that she crawl on her hands and knees to the priest's. All her neighbors looked on. They even interceded with her husband that he should spare her the humiliation he had put on her. Her little children, except in sympathy as they watched her toil over the pavement, her eyes streaming with



MAGISTRATE BUTTS. Blames the "cantankerousness of human nature" for most marital woes.

tears. There might be some people who would think that Gehenna wouldn't be a mean enough place for a husband of this type, but there is no man-made law that could punish him. Judges who have presided at courts before which disagreeing husbands and wives have appeared give various general reasons for the multimillion quarrels that arise, but no two quite agree.

### THE PART OF PERVERSITY.

Justice Giegerich, for instance, says, "Perversity on the part of either the husband or the wife is a frequent cause leading to estrangement, a suspicion of disloyalty entertained by either, especially early in married life, is another common cause, while quarrels over money are not infrequent." Magistrate Butts declares that "the causes lie primarily in the cantankerousness of human nature."

Commenting on perversity as a source of disagreement, Justice Giegerich said, "I remember well a case which illustrates this. A young druggist and his wife hired a servant for their household shortly after the birth of their first child, and subsequent to an increase of wages which the husband had received. Then there arose a question as to which should boss the servant. The wife held it to be her incontestable right. The husband held that it was his.

"Finally, the husband went to his employer, who was also his uncle, and told of his trouble. The uncle said, 'Young man, you must assert yourself or you will be lost forever. Be master in your own house.' "As a result of this advice, the disagreement between the young married peo-

ple became so sharp that it finally brought them into court. Fortunately, through the influence of the court they were induced to adjust their troubles and to become reconciled. This was a case where it would have been better if relatives had been left out of the matter, and this holds

irregularity of religious marriages, and believes that where the ceremony is looked upon as a sacrament instead of as a civil contract this acts as a powerful motive to hold people together and to keep them out of the courts. "It is very seldom," he says, "that divorce is sought by Irish peo-

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## It Will Have Nothing to Do with Divorces Beyond Trying to Head Them Off and Reconcile Disputants.

sons or by other good Catholics. This is because they look on marriage as a sacrament.

In response to a question as to whether he thought civil marriages should be prohibited, the justice said "No," for the reason that there were so many mixed marriages. These seemed to demand a civil service, he said.

"How do you account for people 'making up' so frequently when their cases come up in court?" the justice was asked.

"Adjustment is possible," was the reply. "only in suits for separation. Then, if the parties can be made to see that the advice of relatives or of their counsel has no effect they can frequently be brought together again. Many cases are fomented by lawyers who are on the lookout for cornal fees.

"The noon-day adjournment is the most favorable time for unhappy couples to 'make up.' Just why this is so I cannot say, but I have known many husbands and wives to agree to forget their difficulties while the court is at recess.

An interesting case of 'making up' occurred several years ago before Judge Pryor, in which James B. L. Smith, clerk of Special Term, acted as intermediary.

A young wife, none too good looking, was suing her husband, an unusually handsome fellow. The evidence showed that the husband, who came from a Long Island town, had met two girls from his home town one day on the street in New York, and had taken them to a restaurant for a bite to eat. Then, at the door, he said goodby to them and all went their several ways.

Several gossip persons had reported to the wife that her husband was with these girls, and she finally decided to sue him for absolute divorce. Judge Pryor, after listening to the evidence, remarked to Mr. Smith, when recess time came, "If we could get the lawyers out of this case I think I could settle it."

So the clerk did his best to cause the dove of peace to alight once more in the home of the estranged pair. This is as Mr. Smith tells the story. "The lady asked me when court would sit again, and this gave me an opportunity to speak with her. The counsel glared at me, but I said to them, 'I am addressing the lady by order of the court.'

"I said to her, 'That's an awfully good-looking fellow, that husband of yours. There are not many so handsome now that the war is just over as the Spanish war has killed so many of our fine fellows. Don't you think you are a little severe on him?' Then I went over to the husband and said to him, 'I think this lady ought to have some one to escort her to luncheon.' He asked her to go out with him, and as a result they had decided by the time court reopened to make up and live together again."

### WIVES HAVE MOST TROUBLE.

Most of the complaints that bring husbands and wives into court are made by women. It is the wives who seek separation and divorce, but now and then comes a masculine petitioner. Justice Giegerich tells of a man who disagreed with his wife over a small bank account. "And this was one of those cases," added the justice, "of the second marriage of both parties, where each party had children. Such conditions frequently result in disagreements."

The husband was an Irish laborer hav-

ing a half dozen children by a former marriage, these ranging from a grown-up daughter of twenty-one to a tiny tot of a baby. They were a rough and brawny brood.

"The wife had the same number of children, but hers were more refined. After the two had been married for a short time, the wife suggested that the bank account which was standing in her husband's name should be transferred to them jointly. The husband agreed and went with her to the bank, where, as he supposed, the account was properly transferred.

"After they returned home, however, he found that the money had been transferred to the wife alone and that he had no longer even a partial claim on it. This brought on a genuine family mix-up in which the children on both sides took part. It finally required four policemen to restore order. The parish priest then made strenuous efforts to effect a reconciliation, but the case ended in court when the man applied for separation."

### A MAGISTRATE'S VIEWS. E

Magistrate Thomas W. Butts believes that the new Court of Domestic Relations will bring about a much needed enlargement of jurisdiction over points at issue between disputing couples.

"The object of this new court as constituted," says Magistrate Butts, "is to settle disputes between husbands and wives. Such disputes, however, must be based on a legal cause for complaint, and therein will come, I imagine, the enlargement of its powers at a later date. What is needed is authority vested in the court to reach men whose conduct approaches the line of criminal transgression, but does not step over it. I refer to such men as will permit their wives to become janitors of buildings or to do manual labor to support them in idleness. These men could and abuse their wives without resorting to physical violence and thereby escape the grasp of the law. If the court were empowered to reach such men their family discord could be checked in the first instance and subsequent divorce suits avoided."

"I believe that this court is a step in the right direction and I am confident that after its workings become understood the Legislature will appreciate the benefits to be derived by enlarging its powers."

A. P. M.

### RICHFIELD SPRINGS.

Richfield Springs, N. Y., Aug. 20.—The finals of the tennis tournament were watched with great interest, and resulted in L. M. Burt winning over Justin R. Swift in the singles. H. T. Wessels and Percy Brooks beat Richard Cary and Milton Mapes in the doubles. Mr. and Mrs. L. M. Burt beat Miss Roff and Mr. Wessels in the mixed doubles.

### FORTRESS MONROE.

Fortress Monroe, Va., Aug. 20.—New Yorkers are finding out that nowhere can more delightful summer days be found than at Old Point Comfort. This summer hundreds of persons from New York City and surrounding towns have come here for visits of from one week to six. The historical places of interest about Old Point are of never failing interest to tourists. The site of the Jamestown exposition, although not of any special historical value, is visited many times during the summer by guests from the Hotel Chamberlin.

# Reads Like a Fairy Tale, but Happened in Connecticut

## Four Brothers Set Out with \$700 Each and Bring Home Seven Millions at Least.

Once upon a time there was an old miller who worked in his mill from sunrise till long after dark every day. He had a wife and four sons, and they were all as industrious as he. When the eldest of the four sons was sixteen years old the father called the lad to him and told him that he must go into the world to seek his fortune. Only he said it this way:

"Beh, me an' your mother has tried to do what's right by you. Now you've got to go out on 'do for yourself. I ain't givin' you no advice. Advice don't cost nothin' an' 'tain't worth nothin'. You can have seven hundred dollars. Take the money, an' remember it's root, hog, or die, after this."

So the eldest son went into the world to seek his fortune, and the money his father had given him he used in trade. When the second son was sixteen years old the father summoned him and spoke to him in the same manner, giving to him, likewise, seven hundred dollars. And the second son used his money in trade. And the third son the father treated in the same way, and he, like his two brothers, used his money in trade.

But as for the fourth son, the youngest, who was three children, he was growing rich, he stayed at home with his father and mother. Now a war arose in that country, and the youngest son went out to be a soldier when he was only fifteen years old. He was brave and fought many battles. And when he came home, being then eighteen years of age, his father gave him seven hundred dollars, as he had done by his three eldest sons, and sent him out into the world to seek his fortune. Only the boy took his money and put it in the bank, and did not use it in trade for a long time.

### STEPHEN A WISE FATHER.

Stephen Miller, the father of the four boys, was born on July 4, 1786, in the old mill that his ancestors had built. He worked in the mill as a boy, and when he became a man he took charge of it in his own name. At the age of thirty he was married to Lucretia Fairchild, a girl of eighteen.

He had picked a good mother for his children. Herself a farmer's daughter, and even by the standards of her hard-headed Puritan neighbors an exceedingly capable woman, she knew the hard life of the farm and the mill too well to want her boys to content themselves with either. She determined that they should be men of mark in the world.

Other mothers have wished the same for their sons, but few have been as tenacious as she. She gave the harsh lessons that boys must have to succeed. They worked hard, as hard as their strength could bear. They learned to save their money. They learned to be honest and truthful. And when they were sixteen years old they were pushed out of the home and made to shift for themselves.

Seven hundred dollars, even to-day, is not a small capital to put into the hands of a poor boy of sixteen. These boys did not have a college education. But they had a good knowledge of life at first hand; they had strong bodies, good habits and sound principles; they had grit and independence,



THE FOUR FORTUNATE MILLER BROTHERS AND THEIR SISTER. From left to right they are: Darius, Nathaniel G. Charles, Mrs. Kate Strickland and Frank.

and last, but not least, they had a six years' start in the college boy in the race for success, and those years six of the best of a man's life, when his courage is elastic and hard knocks hurt him, but do him little real harm and much good.

### DARIUS SEEKS HIS FORTUNE.

In 1800, when Darius, the eldest son, was only eleven, Stephen Miller sold his mill stands to-day on the land he refused to take as a gift.

He was hired as a clerk in a general store at New Britain, Conn. Boy fashion, he was very proud of the \$50 he had to invest, and he expected that his employer would allow him to buy an interest in the business after a few months. The months passed, however, and the opportunity was not offered. Meantime, Darius was saving his money unspendingly. A flutter in the financial world developed almost into a financial panic in southern New England, and among the small merchants who were driven into hopeless bankruptcy was the young man's employer.

Darius bought the store and the business at a Sheriff's sale, paying almost the whole price with his capital of \$700 and the savings he had put away. The former owner of the store was glad to get employment as a clerk under him, and stayed with him in that capacity until his death, many years later.

But that was the rule with Darius Miller's clerks. Although at twenty he had already made himself the owner of an independent business, he was not the sort to be spoiled by early prosperity. When he was asked the other day what was the rule of success, as he had found from experience,

### HOW THEY WON OUT.

Darius—Be a little more than square. Nathaniel—Keep your properties active. Keep your money active. Keep active yourself.

Charles—Work hard. Frank—Work most of the time. Save all the time.

### NATHANIEL GETS A START.

The second son, Nathaniel Gladwin Miller, reached sixteen in 1819. He has confessed that he wanted sorely to do what any boy would want to do who was turned loose in America in 1819—set off around the Horn and seek his fortunes in the California gold fields. But his mother gave him good counsel in this crisis and pointed out that the rush had left places nearer home where a young man with a few hundred dollars could make his way.

Nathaniel gave up his dreams of gold and the West, but for a time he seemed to be the rolling stone of the family and little likely to develop as the gatherer of green-backed moss. For a while he clerked in a Hartford store, later in one in Meriden. The old inhabitants of Meriden tell many grim tales of his first venture for himself. They say he bought the stage route from Meriden to the neighboring village of Chester for \$300. The property consisted of the goodwill of his deceased predecessor, a broken-down covered wagon and two fair looking horses. Young Miller engaged a driver, who was to get two-thirds of the price of the fare in liquid wages. One

## Sons of Stephen Miller, of Middletown, Tell of Their Rare Success in the Business World.

and is to-day one of the principal factories of Waterbury.

On the first day of the present year, the fifteenth anniversary of the old partnership of Miller & Peck, Charles Miller gave a dinner for his employees. There he announced that, as he was seventy-three years old, he was about to retire from active business. The old store would go on under the same name, however, and under nearly the same management. He had given up its contents was worth \$400,000. And for all his princely gift, the old man was still worth more than \$5,000,000.

"I just like to watch it grow," he said, when his brothers asked him why he did not sell his brass foundry. And when a curious friend asked him what was the secret of his success, he said shortly, "Hard work."

Frank, the youngest of the four brothers, left home at the outbreak of the Civil War to enlist in Company I of the 1st Connecticut Heavy Artillery. Though only fifteen at the time, he served at the front with the Army of the Potomac throughout the war. He was a member of General Baldwin's "charging squad," a company of volunteers whose duty it was to go over the enemy's works with the infantry in an assault and turn the rebel guns against their own lines.

Stephen Miller was a close friend of Edwin M. Stanton, Lincoln's Secretary of War, and was employed by him on a number of secret missions in different parts of the country. One day in the winter of '61 the boy Frank was with his battery in the trenches before Petersburg, when his father appeared, armed with papers giving him an honorable discharge.

"We need you at home, Frank," the old man said. "This war is almost over now. Your mother wants you. She has given me the house at night, thinking you might be coming home and find yourself locked out."

### FRANK STUCK TO THE WAR.

But Frank stayed with his battery. It was not long afterward that he was in one of the famous charges of the siege, when the Yankees swept out from one of their own outworks which the soldiers had dubbed "Fort Hell" and carried "Fort Damnation," the rebel work opposed to it. It was that exploit that drove the Confederates out of Petersburg, for the guns of "Fort Damnation" commanded the Walden Road, Lee's last line of communication.

When the war was over Frank returned home and found the house door unlocked, as his father had said. But he was off again in a few weeks and working as a clerk in his brother Charles' store in Waterbury. A few years later he moved to Bridgeport, where he made a beginning in a small way selling coal. Although his capital was limited, he succeeded almost immediately in breaking into the wholesale trade. The business grew by leaps and bounds, and within a few years more the young man owned his own mines in the Pennsylvania coal fields. Because of these interests he prospered like all his other undertakings.

### CHARLES GETS HIS \$700.

Charles, the third son, was born in 1821, and in 1832 when he had reached sixteen he set out like his brothers to make his own way. For a time he worked as a clerk in a store in Waterbury, until he was able to start in business by himself. The first store was a very small affair, but by the beginning of 1850, when he was only twenty-three years old, he bought an interest in a larger