

# Mexico Offers Easy Divorces

## New Law in Sonora Permits Decrees by Mutual Consent.

New York.—Divorces on short notice are the latest attraction for winter tourists in Mexico. Under recent legislation passed by the state of Sonora it is possible to obtain a decree by mutual consent, usually in four to six weeks.

Under the federal statutes of Mexico a foreigner enjoys all the rights of a citizen in respect to actions at law, including suits for divorce. Sonora has gone still further, authorizing suits against nonresident defendants by means of personal service "or such other means or mode of service as may be authorized by the laws of the state or place where the defendant resides or may be found."

As many states in the American Union provide for service by publication, it becomes possible to publish the notice of a divorce action and then prosecute the action in Sonora.

When service has been made upon the defendant in any of the means that are legal in his place of residence, the Mexican court grants sufficient time for him to answer to the complaint. Ordinarily this delay does not involve more than thirty days.

Corroboration of charges may be established "by witnesses in open court, by depositions or sworn statement taken without the country by order of the court . . . or by other documentary evidence of such facts."

Two Classes of Divorces. The Sonora statutes provide for two classes of divorce. The first, relating to a decree by mutual consent, sets forth that the petition must be "signed by both parties alleging incompatibility and a desire by both parties to end the marriage relation."

Under the second clause a divorce may be had upon grounds set forth in the civil code and without agreement. These grounds include adultery, abandonment of the conjugal home by either party for six months and extreme cruelty. The second marriage of a divorced person is prohibited for 300 days of separation from the first husband and wife, either before or after divorce.

Thus Sonora has extended to citizens and aliens the broadest divorce

privileges on the continent, with the possible exception of Yucatan, another Mexican state. Although the Yucatan decrees have been set aside in several instances by American courts, it is believed that the Sonora decrees will have higher standing when brought to issue. Treaties between Mexico and the United States provide for mutual recognition of court judgments. If these treaties be maintained to the letter, there apparently is no reason why a Mexican decree should not have all the force of one obtained at home. But it also is true that American courts are jealous of their jurisdiction over American citizens and many times have emphasized that they will permit no other judicial bodies to rule upon the status of such citizens. That attitude is particularly evident in New York.

Uncertain Status. By reason of these contradictions the whole question of divorce obtained in foreign countries is involved in great uncertainty. But the worst penalty to be exacted of a person divorced where service is made by publication and the defendant does not appear in person or by attorney would be a second suit for divorce by the defendant in the first action. A wife declared free in Sonora, where there had been no such appearance, might be sued at home by her husband and divorced, although she had obtained a decree in the Mexican state. But any criminal implications for bigamy, in the event of a second marriage, would be removed in practice, because courts generally recognize that a decree of divorce relieves the divorced person of guilty intent.

Where all parties appear in the litigation, the courts usually hold them to the letter of the decree, because, so to speak, they have had their day in court.

The principles of law and all of the uncertainties surrounding Mexican divorce actions apply with equal force to decrees from French courts. Many well-known persons have obtained decrees in France that may not be honored by their courts at home. Property values amounting to many millions are likely to be brought in question because of these divorces and the remarriages that have followed.

The French laws governing divorce and the procedure followed are a subject of wide interest just now. David May, New York lawyer and recognized

authority upon divorce laws, discussed this matter in the light of recent developments.

"France does not require any fixed term of residence to begin a divorce action," he said, "and the plaintiff may file notice of suit almost upon arrival. Usually several months elapse. It is then within the province of the court to decide whether such plaintiff has established a residence in France. Assuming that the court is satisfied upon this point, it next becomes necessary to effect service upon the defendant. When such defendant is absent from France, perhaps living in New York, the court will issue a summons through the French consul in this city or in another manner. After service of that summons the defendant can commit his rights to a French attorney and be represented abroad without stirring from home. Where both parties are agreeable to the divorce, the service and delegation of rights are rapidly accomplished, and it may be believed that this mutual consent exists in almost every American divorce action that comes before a French tribunal.

Procedure in France. "After these preliminary steps the French court calls for a hearing to effect reconciliation if possible. Since this is usually out of the question, the suit then moves on to a regular hearing and, upon evidence deemed sufficient by the court, a divorce can be granted. This process of law is common to all of the Latin countries and has a strong relation to that in Sonora, patterned upon the older models of Europe."

But the American divorce in France faces many problems. "Let us suppose that an American husband, freed by the French courts, should marry a second wife in New York and die soon afterward, leaving children by the first wife," said Mr. May. "It would become possible for them to assert that the second wife never was a legal wife and could not inherit the husband's property when he left no will, because the first wife had not been legally divorced. This issue is yet to be decided, but will come up before long, as many of the persons divorced abroad have large property interests and families by their first marriages."

In a less degree the problems surrounding French and Mexican divorces also apply to the decrees of other states when brought to question in New York.

It is an impressive fact to the layman that the person divorced in one state and married in another under doubtful circumstances is open to no ordinary forms of prosecution. The worst penalty that threatens him or her is a second suit for divorce and the notoriety attending such action. Where either party has children the possibilities become more complex. But the only real threat of a demand for redress by law arises under the New York statutes prohibiting the remarriage of defendants in a divorce action.

Many May Be Worthless. Mr. May drew attention to the relations of state courts under the federal Constitution, which lays down the principle that the tribunals of all states are to give faith and credit to the decisions of other states. That same spirit enters into international treaties, so that the theoretical aspect of divorces obtained in other states or foreign countries is perhaps identical. But in application every court almost becomes a law unto itself, as the United States Supreme court said, and the citizen of any state divorced in another state must always live in some doubt about his standing. Only in cases where all the requirements of a home state have been observed by a citizen of that state can a divorce be accounted fully legal and binding.

These conclusions mean that many thousands of persons in New York and the country at large bear divorces which are likely to be held worthless upon challenge. But relatively few of these doubtful divorces ever lead to secondary actions or any other process of law. The practical effect is to create a state of uncertainty affecting the whole fabric of law between the states.

Nevada still leads all other states in the liberality of its divorce laws. A residence of six months only is required, but the plaintiff must reside in a fixed place for that length of time. Formerly it was possible to break a journey westward by a stop in Reno, file an action there and continue the trip to San Francisco. At the end of six months a plaintiff could return and carry on the action.—New York Times.

even for the navy, a system has been established. General Saltzman said, fully capable to handle and supervise the communications activities during an emergency.

The report showed that in the fiscal year 1924-25 more than 8,000,000 words in messages were transmitted with a saving of \$155,698 to the government in commercial tolls.

Chicago, Around-World Plane, Sent to Museum

Washington.—The Chicago, one of the planes which completed the army's round-the-world flight, has arrived in the capital to be preserved as an historic relic in the Smithsonian Institution. Disassembled and crated, with some of the frailer parts wrapped in cotton, the plane now reposes on a box car at Bolling field, and as soon as space is made for it in the museum it will be carefully reassembled there under the direction of Prof. Carl N. Mitman, curator of engineering.

Somehow we can't help feeling sorry for an ex-hero.



## In the JUNGLE With Cheerups and the Quixies by Grace Bliss Stewart

### THE ODD OKAPI

"I AM going to call on Cheerups this morning," said Ollie Okapi to Mrs. Okapi, with a determined air. "Well, I don't see why you shouldn't, go, my dear," replied Mrs. Okapi, much to Ollie's surprise. "I should think he would be delighted to see you. This Cheerups person may be wonderful and helpful and all that, but when it comes to curiosities, there isn't one that I know of who can hold a candle, or a firefly I mean, to you, Ollie. You are the most oddest—"

"The oddest my dear, the oddest! I do wish, you would be careful of



"Make Yourself Quite at Home," Greeted a Small Voice.

your African," said Ollie gently, for he was feeling very much flattered. "Perhaps it would be a treat to him to see me, no that you speak of it. Why shouldn't I do folks a favor once in a while, when it's so easy? That's a very good idea, indeed," and Ollie Okapi strutted up and down as well as he could for the Great Trees and the Twisty Vines which got in his way. "How do you think I look; all right to start, my dear?"

"Oh, yes, you look very handsome, Ollie," cried Mrs. Okapi, turning on him admiring eyes. "But don't stay away too late or I shall worry."

"No, I won't, Mother; good-by!" and with a whisk of his tail and a frisk of his heels, the odd Okapi dashed away through the Woods on his journey to Cheerups.

"I don't believe it's very far," thought he to himself, "for the Jungle and the Deep Forest are really the same thing. I ought to be finding him soon. Why, here's a nice little clear place to stop and look around."

"It certainly is, sir; make yourself quite at home," greeted a small jolly voice. "I'm Cheerups and on the lookout for adventures this morning, but really, I hardly expected—"

"No, of course you didn't, Mr. Cheerups," shouted Ollie jocosely. "I just knew you would be too surprised for anything when you saw me. But you haven't hurt my feelings a bit, sir. You couldn't be expected to know about me, because I have only been recently discovered by a famous explorer. Nobody really knows anything of my habits except that I live in the densest part of the Deep Forest and seem to go about with my mate only. 'Two's company,' say I. Okapi is my name, Ollie

Okapi to my friends, and I hope you will be one of them, sir." "Thank you, thank you, but—" stammered Cheerups. "It's your looks, Ollie, that are so confusing. You are something like a giraffe, something like an antelope, something like a zebra and something like an ox, and I can't decide where one begins and another leaves off."

By this time Ollie was too pleased and excited to control himself. He pranced, capered, shook his tail and wiggled his ears with pride and joy.

"I can't blame you, sir," roared he in a boastful tone. "I guess most anyone would be astonished to see the reddish coat of an ox, the striped legs of a zebra, the horns of a giraffe and the general shape of an antelope all belonging to one animal. Now that I have given you a treat, sir, I think I must be going."

"Don't hurry, Ollie," said Cheerups, who had recovered his composure by this time. "But of course, if you think Mrs. Okapi would be worried, you'd better be off. Remember, though,

"No matter how fine one's looks or dress a boasting manner makes them less. "Good morning!"

"Now I wonder what he meant," mused Ollie Okapi, as he scampered away through the trees. (© by Little, Brown & Co.)

## Vilma Banky



This blond "movie" charmer was recently imported from Budapest, and has been seen in a prominent production playing opposite one of the most conspicuous male stars in motion pictures. Miss Banky enjoys the distinction of being the only Hungarian who has attained prominence in American pictures. She worked in pictures in her native land before she was brought to this country.

## THE WHY of SUPERSTITIONS By H. IRVING KING

### OUIJA BOARD

THE ouija board is not new—many of us remember its immediate predecessor, the planchette. But its pedigree can be traced far back of the planchette, its first "ancestors of record" being, apparently, the device used by Hilarius and his fellow conspirators to discover who would succeed the Roman emperor, Valens, who died A. D. 378. Hilarius, under torture, described the device used as a little table with three legs bearing a disc on which were inscribed the twenty-four letters commonly used in the Latin alphabet. The diviner held over this table a ring suspended by a thread and the ring, swaying first to one and then to another of the letters, spelled out the answer to the question asked of "Weeje."

With Hilarius the ring spelled out "Theod—" whereupon one of those present cried out "Theodorus." This brought Theodorus and the Ouija party to the executioner. But nevertheless, Valens was succeeded by Theodosius, thus vindicating the ouija of the day in the minds of the populace.

In some analogous for mit has existed ever since. Our ouija board is inherited direct from the Romans. The three legs of the board represent, as confessed by Hilarius, the three legs of the tripod from which the Delphic oracles were delivered, thus connecting ouija up with ancient Greek superstition. The selection of the letters, as every sensible person knows, results

from unconscious muscular movement on the part of the operator—to which a suspended ring was even more responsive than the device used at present. The rest is merely a survival of the "spiritism" of primitive man who sought to account for natural phenomena by ascribing it to supernatural agencies and thus surrounded himself with invisible spirits which he suspected of constantly interfering in his affairs and which he was constantly trying to bring under his own control by "trick and device."

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## AN ABBREVIATED STORY

### TINFOIL TAPER'S HEART

THE heart of Tinfoil Taper was as soft as it was large, and, even when he was without a cent in his pockets, he never refused to stop to listen to a hard-luck story.

So now, instead of bustling off the ragged stranger's detaining hand, Taper said benevolently: "What's wrong, brother?"

"Everything," answered the other sadly. "My wife is sick, my doctor bills are high, and I have no children with seven years of age, and I'm out of a job and my money has served notice that the rent is up next month and if I don't pay on the dot we'll be evicted."

His great heart overflowing with sympathy, Tinfoil Taper shook the mendicant's hand warmly.

"I know exactly how you feel," he assured him. "I too am the father of a large and meat-eating family, and my wife is sick also, and my rent, likewise, has been raised and I am under the necessity of having to pay or get out. I have a job—I'm a bib designer—but it only pays \$24 a week. How much do you make begging, if I may ask a personal question?"

"Not a tall, certainly. I make as high as \$45 a week on this street, just working this side alone. I can see you've got a good heart, and if you'd like to throw up your job and take the other side of the street, I offer it to you freely, mister."

Without more ado, Tinfoil Taper tore his clothes into appropriate tatters, took the other side of the street, and collected \$8 that very afternoon. (© by George Matthew Adams.)

## "WHAT'S IN A NAME?" By MILDRED MARSHALL

Facts about your name; its history; meaning; whence it was derived; significance; your lucky day and lucky jewel

### NELLIE

THERE is considerable room for doubt in assuming that Nellie is a derivative of a contraction of stately Eleanor. Though some etymologists claim that the former name is evolved in the lengthy process between the original Helen and the final Lina, there are two other sources from which Nellie might well be sprung without such a formidable history of derivation.

The Dutch have a name which they call Nelle, meaning "horn," which is pronounced the same as our Nellie and might easily be the direct progenitor of this popular little name. For those who reject this derivation, there is the German Nelle which has wide vogue in all countries under Teutonic influence. It was evolved through

the quaint English Petronella, a feminine name given in honor of Saint Peter.

The first Petronella was said to have been his daughter. For that reason the name was exceedingly popular in Spain as Petronilla. In Norway it made its appearance as Petronille and was shortened to Nille, a name which corresponds very closely to our Nellie.

The bloodstone is Nellie's talismanic gem. It will preserve her health and protect her from diseases, especially from those which affect the blood. Tuesday is her lucky day and 1 her lucky number.

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Eucalyptus Logs Eucalyptus logs have never had a market here, excepting as fuel. For fuel they have to be cut, split and piled to season or else they do not burn well. Dry eucalyptus is fine in an open grate. The great difficulty is that most people in the towns now cook with gas and heat with gas. The well-to-do who have open grates buy eucalyptus wood, but the market is not very active.

The logs have never yet been used as telephone poles. I think a large reason for this is the fact that a dry eucalyptus is very hard and the line-men would experience difficulty in using climbing spurs.

A few pilings of this kind, used by a bridge pier builder when he thought he could cheat a little, proved to be far more enduring than the ordinary pilings. I have wondered many times why eucalyptus pilings were not used extensively, but it is hard to teach most folks.—Mr. Harriman, in Adventure Magazine.

## Pioneer in Telephone Field



Charles J. Bell of Washington, a director of the Potomac Telephone company and president of the American Security and Trust company, is the oldest living telephone pioneer, and was a prominent figure at the convention of telephone pioneers in the national capital. Mr. Bell's connection with the telephone business dates from 1874 when he was associated with his cousin, Dr. Alexander Graham Bell, inventor of the telephone. Photograph shows Mr. Bell with the first telephone ever made.

## WAR DEPARTMENT RADIO NET SAVES \$155,698 IN ONE YEAR

Eight Hundred Messages Daily Are Dispatched in Hook-up of Nine Corps Areas.

Washington.—Disclosure that the "War department radio net," linking up the nine corps areas and the department in a communications system operated exclusively by military personnel, originated in 1922, as a feature of "plans to insure communication with corps area headquarters and certain critical cities in case of failure or destruction of the commercial wire system," is contained in the annual report of Maj. Gen. C. McK. Saltzman, chief signal officer of the army.

The net was established three years ago, the report said, and it has since been employed "to excellent advantage in the training of signal corps personnel." In addition to handling a heavy burden of departmental telegraphic

business theretofore intrusted to commercial companies.

General Saltzman estimated that, while the original five stations of the net transmitted about 50 official messages daily, each numbering about 40 words, the present system of 12 major stations and 60 subsidiary points handled approximately 800 messages a day.

The rapid growth of traffic was said to have been brought about by the chief co-ordinator, in an endeavor to "consolidate government communication activities in order to eliminate duplication of effort and carry out the retrenchment policy of the President."

In addition to handling its own, the War department transmits the business of more than 12 other government departments and bureaus, and, in co-operation with the navy, which handles all off-shore radio business, as the army handles in-shore messages,