

North Fryeburg Feb 11-99

Postmaster

Rens

Nevada

Dear Sir

Will you kindly  
put me in touch with the  
Suares-Lawyer in Rens.

or would you kindly tell me  
if the divorce laws have been  
changed within the past year  
or two in Rens. Thanking you  
in advance, I am truly yours

C. A. 

North Fryeburg

Box 86-

Maine

Camp Eagle Pass, Texas,

March 6, 1919.

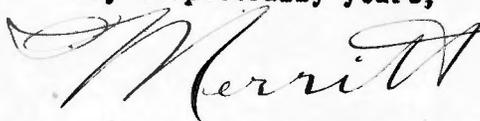
Mr. George Bartlett,  
Box #694,  
Reno, Nevada.

Dear Sir:-

Your name was handed me by a friend who informed me that you were the proper person whom I should write to in reference to securing information regarding a divorce.

I desire to obtain a divorce just as soon as possible, not having lived with my wife for the past seven months, and would appreciate any information you may be able to furnish me as to the time it would take, laws governing and also your fee.

Very respectfully yours,

A handwritten signature in cursive script that reads "Merritt". The signature is written in dark ink and is positioned to the left of a large rectangular redaction box.

MERRITT

Color Sergeant, 3d Infantry, USA.

avw;

Second Judicial District Court  
State of Nevada

THOMAS F. MORAN  
GEORGE A. BARTLETT  
JUDGES

April 26th, 1919.

MERRITT [REDACTED]  
Color Sergeant,  
3d Infantry, U.S.A.,  
Camp Eagle Pass,  
Texas.

Dear Sir:-

Replying to your favor relative to divorce, - I have to inform you that six months actual residence within one of the counties of this State is necessary before you can commence action for divorce here, unless the defendant should happen to be found within one of the counties of this State, and could be personally served here.

Suit may be brought for the following causes:

Impotency at time of the marriage, continuing to the time of divorce.

Adultery since the marriage, remaining unforgiven.

Wilful desertion at any time of either party by the other for a period of one year.

Conviction of felony or infamous crime.

Habitual gross drunkenness, contracted since marriage, incapacitating that party from contributing his or her share to the support of the family.

Extreme cruelty in either party.

Neglect of the husband for the period of one year to provide necessaries of life, when such neglect is not the result of poverty which he could not avoid by ordinary industry.

Where personal service is had on a defendant residing outside of our Judicial District, the defendant is allowed 40 days in which to answer, but appearance may be made earlier and enable a quicker disposition of the proceeding.

My fee in uncontested cases is \$250.00; \$100.00 which is payable as a retainer, and the balance at the time of trial. Court costs payable by plaintiff rarely exceed \$20.00.

Sincerely yours,

Same letter to H. A. [REDACTED], Greeneville, Tenn.  
Thos. J. [REDACTED], Jacksonville, Fla.

CHARLES FREDERIC [REDACTED]

August 21, 1928.

The Honorable,  
The Presiding Judge,  
2nd Judicial District,  
Reno, Nevada.

His Honor:-

The writer realizes, your Honor, that this communication is unusual but with no alternative, therefore, if it be consistent or permissible under the circumstances in behalf of a service man and complete justice, to hand to the trial Judge this letter and inclosures for his consideration when the divorce action of my wife, Mrs Laura [REDACTED], is presented, I shall be gratified.

Mrs [REDACTED]'s mentality, your Honor, should be seriously investigated before passing finally on her action. The woman is 48 years of age and in the midst of the menopause and has been so highly nervous and has done such strange things during the past year that she is mentally unfit for this action. While normally a high type woman the fact that she fell publically and disgracefully in love with 26 and 30 year old boys, to say nothing of many other almost increditable matured womanly acts is proof of an abnormal mental condition and it would really be a crime to permit her facilities she seeks of marrying either of these boys. Myself, together with some of the best people in Washington, D. C. have endeavored to stop her mania for divorces but without avail. She even took a boy, not much older than her own son, to the home of a prominent banker and introduced him as "My Husband No. 4", much to the dismay and amazement of all present who referred to her as "the woman must be insane.". She has a personal income of only \$400 a month, of which, during the past 7 months she has been spending \$225 of it on apartment rent, although we have a \$55,000.00 home free of rent or other expense. She has become most lax in her attire before young boys and others and in the past year has contracted debts to the amount of \$10000 with absolutely no funds to liquidate. There are many other things she has done, your Honor, which were purely the result of her mental condition and my physician informs me it will last for another year. He advised me that when she starts screaming and exhausting herself for no earthly reason to simply walk away and stay away for several weeks as the only way to meet the condition because in this condition he assures me a woman hates those they love best. She will turn and not speak to her mother, then me, then others. As an example I enclose her change towards me in 7 months.

2.

I have not come to Reno simply because I would, by my testimony, have to humiliate her, myself and such people as the wife of the former Comptroller of the Treasury, Judge Downey, Mrs Harper, the wife of a prominent Banker and many others, by reciting the terrible things she has done in this condition and yet she will further disgrace herself if granted a divorce which she will ever regret when fully recovered from this condition.

As an officer of the Regular Army I have fought in every war since 1898 and would come to Reno now to try to save the woman, but to get on the witness stand and humiliate and degrade the woman you love, knowing the very sad phase of life she is now passing through, is more than I care to do, so that it puts me between the devil and deep sea. I have the money and the time but no attorney in Washington or Reno has been able to tell me how to combat the situation unless I get on the stand and reveal all these things. The woman has absolutely no cause for divorce under any charge but she will swear to anything or do anything to gain her end.

Through her ramifications with this 26 year old boy on whom she showered many expensive gifts which are today unpaid for, myself, her husband whom she worshipped like a God is now out of business for the first time in 36 years of continuous service. And although I adore her this letter is ventured in an endeavor to <sup>save</sup> ~~save~~ her from herself and her case, your Honor, is one that requires medical and not judicial remedy. In fact, had I known she was going to Reno she would now be in a sanitarium because three persons of unquestionable character would have certified a mental condition requiring close observation to prevent a final nervous breakdown.

Of course her Attorney will not tell the Court these things. His duty is to get results for his client but if the court desires an affidavit to cover and be used for the confidential information of the Court I will gladly have same prepared.

I am, your Honor  
Most

(Major) Charles F. [REDACTED]

Temporarily  
930 Argyle Street,  
Chicago, Ill.

1919?

[1930]

875 PARK AVENUE

My dear Judge Bartlett,

My father is going to divorce my mother very soon because he wants to marry Mrs. Shearer. They have been living in Reno since last April.

If you only knew how happy mother and father were until mother got sick and went to Europe and father met Mrs. Shearer and they ran off to your state to get divorced. Mother and I went out there in August to see father and we begged him to come home and mother said she would fight the divorce case in Reno.

and father said Judge Partlett  
will grant me a divorce and will  
merry us so Mother is afraid to  
fight but although I am only 12  
years old I wish I could fight it  
and save our family from ruin.  
I have three little brothers and we  
are so unhappy and have decided  
since Mother is afraid to fight  
that we will see separate  
measures and writing to you is one  
of them.

My father's name is Bernard

Please do not break up  
our home as father will be sorry  
some day as he will be Mrs. Shearer's  
fourth husband.

I imagine being a judge  
you are a very important person

and I should not take up your  
time but while this is only an  
incident in your life it means  
the entire future of four children  
and also my mother and father's life.

With all best wishes

Respectfully,

Deborah [redacted]

50 Buchanan Place,  
New York City, N.Y.  
April 23rd, 1931.

Hon. Judge Geo.A.Bartlett,  
Reno, Nevada.

Dear Sir:-

Having a vital interest in marriage and divorce questions, I read with keyed senses an article in the Herald-Tribune of April 11th, which quoted you rather freely. Your stand in the above matter struck me as being very broad and fair-minded, at the same time not running towards the radical. This coupled with the fact that you are a man of vast experience in the field of domestic relationship prompted me to take the liberty of writing you with the thought in mind of possibly securing some invaluable advice and perhaps some much needed aid.

I am thirty-two years of age and have been married for four years. I left my husband ten months after the ceremony. This rash act (if it may be called rash) was not due to lack of foresight or indiscretion on my part but was caused by a blighted picture, a picture that was prepared for many months before (in this case) the fatal acceptance and that faded after the first few weeks when so many clever lies came to light.

My married life was one disappointment and heartache after another. There wasn't a single promise that was kept. My husband was continually out of work, loafing on street corners, associating with characters of questionable reputations. He would borrow money and say it was earned. He would then gamble it away instead of providing for me or paying it back. There were days at times when I didn't know where our next meal was coming from. This together with many other mental abuses, such as pounding down doors, tearing his hair (as a sham for penitence), raising his voice to such a pitch as to make me hysterical, having no respect for me when in the company of others and many others of equal importance together with a number of physical abuses, made my living with him unbearable.

After granting him chance after chance to reform, believing that his promises would finally materialize, I broke down and was forced to vacate our home in lieu of suffering the possible consequences of insanity. My physician can attest as to my condition during my married life and for a year thereafter. His opinions would most certainly substantiate any claims for some of the most base forms of cruelty ever accorded a human being. The Court of Domestic Relations in this city rendered an order for my maintenance but after a few payments the

Hon. Judge Geo.A.Bartlett,-

order was disregarded. Prosecution was not instituted because I was happy not to have anything to do with him.

Continually, until this day, I am being tortured. I cannot step out of the house without being followed, spoken to and threatened with violence and otherwise. He has said many times that he would see that I would never get a divorce. My family has suffered gross insults by this specimen of manhood, causing me further aggravation. Unless something can be done towards dissolving this marriage within a short time, I feel that I shall lose my mind, for I continually have this matter in my thoughts and it keeps me from going out, visiting my friends, etc.

As you are aware, one cannot be divorced in the State of New York unless an act of infidelity is proven and while I know of such acts having been committed I cannot secure the necessary witnesses because of their fear of bodily harm or maybe worse. I am not in a position to leave the State and migrate to a place where the grounds are more liberal, by reason of the fact that I am without funds and not in a position to expend the necessary costs of travel and the additional costs of residing without my family. It seems that Fate is mocking people without ample means, particularly so in this field and while the laws of some states appear liberal and inviting, yet they are in reality atrocious and repelling, benefiting only the rich.

I find myself in just such a plight where the laws of other states appear atrocious and repelling due to my lack of money and in a spirit of humaneness and for the betterment of mankind I am soliciting your aid, not in a financial way, but in the way of sound advice as to what may be the best means be of securing a divorce, the where, when and how of this procedure and if possible whether your aid may be enlisted towards reaching this goal.

You may rest assured that your kind indulgence in this matter is deeply appreciated, and at this time I want to offer my heartfelt thanks for anything you may do. I am enclosing a self-addressed envelope for your convenience should you afford me the pleasure of a response to this letter.

Again thanking you for your kind indulgence and wishing for your continued success for a good many years, I am,

Sincerely yours,

Kathlyn

Hillburn, N. Y.

April 29, 1931.

Judge Bartlett;-  
Dear Sir,

I understand you are the judge that grants so many divorces in Reno, Nevada. I saw your picture in the paper and it was telling about divorces, ("in the Paterson Morning Call")

Now Judge, - Perhaps you can tell me something then. I surely would like to have a divorce and really need one from the man I have.

You can perhaps understand what I have gone through for him after having three children in only three years and one month. My oldest was three in August, the second one was two in January and the third one was one in February.

Now he is no better and if

I didn't just keep quarreling all the time I suppose I would have another one by this time. But it just keeps us from being happy together. Now, I am not that kind of a person and he is. He even goes as far as trying to force me to put it in my mouth and I wouldn't do anything <sup>like that</sup> for any man, I don't care how good they are. Would you blame me? (I hope you will not think me personal or bold but some one must try and do something for me.) I just cannot get along this way. Even his own sister has told me several times to leave him. She says she wouldn't live with him no how.

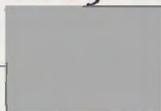
Now please advise me, should I come out there and get a divorce? My mother-in-law

has my oldest girl and I only have the two youngest, but if I get a divorce I am going to leave the second one with his people for him to care for and the youngest one with his sister who intends marrying shortly.

If I could get a divorce could you tell me about how much it would cost I am not wealthy and could not afford to come out there and not work; therefore I would have to seek employment while out there.

Please give me your personal advice and help, will you please?

Please answer as soon as possible as I am anxious to know.

Truly Yours,  
Minnie   
B4 #314 Hillburn, N. Y.

May 6, 1931

Mrs. Minnie [redacted],  
Box 314,  
Hilburn, N. Y.

Dear Mrs. [redacted]:

Replying to yours of April 29th, I am confident from what you tell me that you have ample grounds for divorce. It will be necessary for you to reside here for a period of six weeks before you can file your complaint, after which your husband will be entitled to be served with a copy of the complaint and the summons, he will have forty days if he desires, to take, in which to file an answer or an appearance.

In view of what you tell me relative to your financial condition, my minimum fee will be \$150.00, your court costs \$20.00 for filing complaint, \$10.00 for filing answer or appearance, about \$8.00 reporter's fees and about \$1.50 for a certified copy of decree.

As to your securing employment while here, I cannot give you any encouragement or any assurance whatever, because our conditions are similar to those existing in other parts of the country. While you might secure work, I cannot, of course, guarantee it.

Sincerely,

.....  
Geo. A. Bartlett

GAB:HC

605 East Washington St.  
Los Angeles, California  
July 26, 1931

George E. Bartlett Ex-Judge  
Reno, Nevada

Dear Sir:

I am writing you to let you know how grateful I am to learn that there is one Judge in the universe who has a grain of intelligence. I have come to this conclusion after reading in the Los Angeles Evening Herald the following statement made by you. "The question of divorce is not primarily a question of residence here or any place else. Mis-mated couples, no matter where they live should have access to just relief."

This statement should place you in the Hall of Fame. I want to tell you my experience with the California divorce law.

I filed suit for divorce March 28, 1930. The case came to trial June 8, 1931 and was denied.

Here is the facts in the case. In August 1924 I married an Englishman in San Diego who had only his Interlocutory judgment. In August 1925 we were married again in Santa Ana. Before we were married he was Dr. Jykle and afterwards just plain Mr. Hyde. At the time I was married I had a lot I was buying and had it almost paid for. Three weeks after I was married I returned to work and finished paying for this lot and then the title is in my former name.

Before I was married I held two positions, at the same time. I worked one place eight hours, from there I went to the other position and worked three and a half hours. I was earning around forty five dollars a week, aside from this I was receiving forty dollars a month for support of a minor child by a former husband.

This Englishman now comes into court and says he gave me fifty dollars a month before we were married to pay on this lot. He denied on the witness stand that we were married in San Diego. The way he lied was terrible.

After we were married he nagged and abused the boy until he left home, then I deserted him. He had been married before in Canada and his wife had run away from him. Knowing him as I do I understand why she left.

Before we were married he told me he had taken out his first papers to become a citizen, but he criticizes the United States and has no use for this country. We quarreled about everything and agreed on nothing. He is a liar and you cannot depend on a word he says. He is dishonest and impossible in every way.

I worked most of the time while we were married and I am supporting my self now so why should I not have my freedom ?

The California laws are so crooked it is impossible to get justice in court here. The only place you can find Justice in California is in the dictionary and you have to hunt for it there.

Will you use your influence in getting the Nevada divorce law changed in regards to the length of time one has to reside there ?

I would like to come up for a day and get my divorce I am not thinking of marrying again. Never. I simply want to be rid of this English bum.

Sincerely,

Mrs. Seis



# First Congregational Church

Minister  
ALEXANDER B. [REDACTED]  
269 Mill Street

271-7 Mill Street  
POUGHKEEPSIE, NEW YORK

Church Clerk:  
MISS CLEONA GLASS  
64 Market Street

Treasurer  
E. STERLING CARTER  
12 Randolph Ave.

September 13, 1931

The Honorable  
George A. Bartlett,  
Reno, Nevada.

My dear Judge Bartlett:-

I trust you will pardon my writing you as I am a stranger. But perhaps you may be glad to learn that I am reading your book, Men, Women and Conflict and am finding it a most helpful and illuminating volume. I feel you are making an important contribution to an understanding of this most insistent question of marriage and divorce, and I tender you my sincere congratulations.

It is a more personal reason, however, that prompts my writing you. It came to me out of a clear sky, this afternoon, as I was reading your book that perhaps you might help me in a very vital matter that confronts me just now. I am a clergyman and a widower and have fallen in love with a very fine woman in my congregation. She was one of my wife's best friends and I have known her for the best part of nine years, the length of my stay in Poughkeepsie. But she is a divorcee and that makes her hesitate regarding marriage. She has a feeling that it might hurt me as a clergyman were I to marry her. That does not necessarily follow, for I have known of one or two similar cases. Have you known of such marriages and could you give some encouragement in the matter that I might pass on to her, please?

I have married many divorced persons during my ministry, and there are a few such couples in my congregation now. Only last evening I was the dinner guest of a couple who were celebrating their wedding anniversary, I having married them six years ago. She had been divorced. They are a most estimable couple, she being one of the very useful women in my church, and is a teacher in the Sunday school. Why should I be denied what I am able to grant to others?

What can I say to the lady I wish to marry? There was something sexually abnormal about the man she married and she staid with him only four months. That was twelve years ago. The divorce created no scandal and was uncontested by her. It all took place in another State. She is a business woman, and for three years was at the head of the savings bank women of New York State. She is a woman of the finest character and is held in high esteem by all who know her. Her former husband has remarried.

You can imagine that I am very anxious about this matter, and want to satisfy her mind. I don't want to give her up and if you can help me at all by your advice, I shall be more grateful than I can tell.

Wishing you continued health and success in your work, I am,

Faithfully yours,

Alexander B. [REDACTED]

September 18, 1931.

Alexander B. [REDACTED]  
269 Mill Street,  
Poughkeepsie, New York.

My dear Mr. [REDACTED]:

Thank you for your complimentary reference to "Men, Women and Conflict". I am glad to know that you find comfort in it.

Relative to the situation you describe in the matter of your affection, there is but one answer. You both have a right to the happiness that comes from mutual love. There is apparently, from your own history, no religious objections in your church to the marriage of divorced persons. I appreciate fully the delicate regard your friend has for you and her hesitancy in marrying you because of its possible effect upon you as a clergyman. This is an unselfish thought and does her credit, but you both have a right to happiness that comes from marriage and the criticism that might follow your union can only come from those for whom you should have no regard. It

would come from narrow minds and I cannot see why people should deprive themselves of happiness because of criticism of unworthy humans. Real love is the complete justification of marriage. The trouble with the world is that it has permitted provincial apron strings , sophistry, narrow prejudices and things of like ilk to stand in the way of true happiness.

My good wishes to you both,

Sincerely,

.....  
Geo. A. Bartlett.

G.A.B/EA

S. LOPEZ ALVARADO  
 ATTORNEY  
 BANCO DE NOGALES BUILDING  
 NOGALES, SONORA, MEXICO.

August 16, 1933.

Geo. A. Bartlett, Esq.,  
 Reno, Nevada

MY DEAR COLLEAGUE:

In the belief that you will be interested in knowing the salient points of the Laws of this State of Sonora on Divorce, I am pleased to send you herewith some information on the matter.

Soon after the approval of the Sonora Divorce Laws I opened an office in this city dealing exclusively with securing divorces for foreign persons, and to date I have handled cases of this nature on an average of 200 each year.

Many cases have been sent to me by Lawyers, and many others direct by the interested parties.

To lawyers who have sent me cases I have charged a very low fee, so that they may be well compensated. Continuing this practice, I can agree to charge you a fee of \$ 175.00, United States money, for each divorce case, this amount including my professional fee and the expenses which may have to be incurred in this country. This will permit you to retain a good part of the compensation.

To persons communicating direct with my office I have been charging the sum of \$300.00 which amount has always been considered satisfactory.

I have always preferred to have the defendant notified in person; but as there are many cases where the defendant's address is really unknown and it is not fair to make the parties wait indefinitely, in such cases the Sonora Law permits the serving of notice by publication, to be made three times in succession in the official bulletin of the State, as well as in a local newspaper. In such cases, to the fee mentioned above must be added \$35.00 to cover the cost of publications.

As Sonora complies with each and every one of the essential requisites of procedure, particularly, those established by Private International Law, all the divorces which have been granted here have been recognized in the United States.

In a case where the wife, although served in person, did not wish to recognize the divorce, she brought suit to annul it in the United States. The Court, after hearing my opinion as an expert in Mexican Law, upheld the validity of the divorce.

As stated in the enclosed information, I can send you the special forms of power of attorney to be used in any case of divorce and am ready to furnish detailed explanations, in reference to any particular case.

If you consider it necessary, I can send you references from the Mexican Consulate at Nogales, Arizona, and from the American Consulate in this city, as well as from any of the banks in these two neighboring cities.

Trusting to have the pleasure of handling your cases, I am pleased to be

VERY SINCERELY YOURS,

S. LOPEZ ALVARADO.

I took your name from Martindale-Hubbell Law Directory

**S. LOPEZ ALVARADO**  
ATTORNEY  
BANCO DE NOGALES BUILDING  
NOGALES, SONORA, MEXICO.

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**Brief Information Regarding the Classes of Divorce That Have Been  
Established by Law in the State of Sonora, Republic of Mexico**

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**DIVORCE BY MUTUAL CONSENT**

A petition regarding a plea for divorce by mutual consent can not be presented to the Court until a year has elapsed since the consummation of the marriage.

It is necessary that both spouses come to Nogales, a permanence of three days is sufficient.

To present the plea of divorce before the Court, I need a certified copy of the Marriage Certificate.

So that this document can be accepted in the Court and have legal value, it is necessary that it comes legalized by the proper Mexican Consul. For example, in the Certified copy of the Marriage License, appears the signature of the County Clerk and this signature must be legalized by the Mexican Consul who has to the jurisdiction of the place in which the marriage was consummated.

Perhaps all these requirements may be considered as unnecessary; but they really are, since due to the importance of dealing with general documents issued in a foreign nation, and with a divorce sought also by foreigners in another foreign country, and according to International Law, they must comply with all the already mentioned requisites.

A divorce by mutual consent can be obtained within 8 days, counted from the date of presentation of the plea before the Court.

**CONTESTED DIVORCE**

To procure a contested divorce in Sonora it is not necessary that the plaintiff come to Sonora, nor that he establishes residence here. He can bring suit at any time, for any of the following grounds.

I.—Adultery.

II.—If the wife gives birth to a child during the marriage, which child is proven to have been conceived of another man prior to such marriage.

III.—Moral perversion of either party: coercion by either party upon the other to commit any violation of the law; attempts of either party to corrupt the children; or any other act of a similar nature.

IV.—Either party being incapable of cohabiting with the other; or being afflicted with a venereal disease; incurable mental disorder, or any other incurable chronic disease which is contagious or hereditary.

V.—Unjustified abandonment of the home by either party for a period of six months.

VI.—The absence of the husband for more than one year, without fulfilling his marriage duties.

VII.—Cruelty, threats, serious insults, or bad treatment.

VIII.—Slanderous accusations made by either party against the other.

IX.—The commission of any crime which is punishable by law with not less than five years imprisonment.

X.—The incorrigible vice of drunkenness.

XI.—The mutual consent, and

XII.—Separation in fact of the consorts, with the interruption of matrimonial relations for a period of more than six months.

As can be seen the law of Sonora does not accept as cause for granting divorce, incompatibility of character..

To secure a contested divorce, it is necessary that a power of attorney in my favor and a certified copy of the Marriage Certificate be sent me by the plaintiff. Both documents must come legalized by the signature of the Mexican Consul, according to the terms already indicated for divorce by mutual consent.

It is absolutely indispensable that in a contested divorce the defendant be personally notified of the complaint at the place of his residence. To this end, I will send the necessary copies, which the Court issues, so that they may be delivered upon demand in making the notification; and I will send also the special form of affidavit which must be signed by the person who makes the notification. The same person who makes the affidavit, must sign it in the presence of a Notary Public, and the signature of the Notary must be legalized by the Mexican Consul. I will send also the special form on which the affidavit is to be made, according to the Laws of Sonora.

If the defendant does not appear before the Court personally, or represented by an Attorney, opposing the complaint and the jurisdiction of the Court of Justice of Sonora, the judgment holds by default of the defendant until receiving the definite decree.

As in some cases the address of the person who is to be sued is unknown, the Law provides that in such cases the notification may be served on the defendant by publication, three times in succession in the Official Bulletin of the State and in one of the local newspapers. In these cases the plaintiff must declare that he does not know the address of defendant; and the attorney for the plaintiff must make a similar declaration.

Formerly, when the Divorce Laws of the State were first approved, the Act provided that notice had to be served on the defendant in person, failing which, the divorce action could not continue. However, the legislators have realized that it would be unfair to prevent the prosecution of a divorce suit when the defendant's address is really unknown, making the marriage relation to continue indefinitely, and so the law has been amended to permit the service of notice to be accomplished by publication, as above stated.

Notwithstanding the above provision, the Sonora Law continue to be more severe than the laws of the States of Morelos, Yucatan, Campeche and Chihuahua, in which states the essential formalities are not complied with in these cases of such importance to society and the family. The intent in said four States is to grant quick divorces in order to obtain a financial advantage, and just for that reason, even the Supreme Court of Mexico does not recognize the validity of divorces secured in said four States; on the other hand, the divorces granted in Sonora have always been considered valid, both in Mexico and abroad. Many Americans have preferred to secure their divorce in the State of Sonora, just for this reason.

A suit for divorce for cause requires for its conclusion about 45 days, depending upon how quickly the personal service is made. In cases where the service is made through publication in the newspapers the time required is more or less the same.

### **Divorce in Which Both Consorts Are Agreed Upon Divorce, But in Which The Plea for Divorce is Advanced in Contested Form.**

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The great majority of consorts who apply for divorce are unanimously agree upon divorce, in order to remarry; but prefer not to procure a divorce by mutual consent, among other reasons, because the State of New York does not consider this divorce valid.

To overcome this difficulty, they resort to the contested form, notwithstanding as I have said, both consorts are agreed upon divorce.

To procure a divorce of this nature, two distinct powers of attorney are necessary; one which the husband places in the hands of one Lawyer, and another which the wife places in the hands of another Lawyer, together with a certified copy of the Marriage Certificate.

I will send these powers, in the special form which our laws provide, so that they may be signed before a Notary Public, in the same manner as the other powers, which must come also legalized by the Mexican Consul.

The procedure in these divorces, is as follows: I, as the attorney of the plaintiff, present the plea of divorce before the Court, based upon any one of the grounds which have been indicated for contested divorce, and request that notifications be made to the attorney of the defendant. This Attorney, in the name of the defendant, answers the claim, saying that the points contained in the

plea are true. In this manner the trial continues until a definite sentence is obtained, which can be obtained within a period of 10 days.

In all powers of attorney one must waive his domicile and submit himself to the jurisdiction of the Court of Justice of Sonora.

When I send a certified copy of the final decree, I always send it legalized by the American Consul at the place, to meet all the legal requirements in the United States, and translated into English.

I must call your attention to the illegal custom which some Lawyers who transact divorces have come to practice, which consists in sending copies of the Decree without the legalization of the American Consul and without its publication.

This practice is contrary to our laws, and I have never followed it, notwithstanding it would mean considerable saving of expenditures. Among other expenditures which are saved in this way, is that of the publication of the decree in the Official Bulletin of this State, in detriment of the interests of the State itself.

Although my practice takes charge of all classes of legal matters, for some time I have made a specialty in divorces of foreigners.

So that you may see that my practice is a serious practice, I can send references from all of the Banks of Nogales, Sonora and Nogales, Arizona, as well as from the Mexican and the American Consuls.

I can send whatever other information you might be interested in and which refers to the question of divorce.

Be careful of people announcing cheap and rapid divorces.

**S. LOPEZ ALVARADO.**

DAVID O. KUH

ATTORNEY

BAR BUILDING  
36 WEST 44TH STREET, NEW YORK  
VANDERBILT 3-7646-7-8

June 8, 1936

Baroness A. J. [REDACTED]  
P.O. Box 2042  
Reno, Nevada

Dear Baroness:

I have before me your letter of the 6th inst. contents of which have been carefully noted.

At the time Mrs. Gillian [REDACTED]'s lawyer conferred with me I believe he knew of Mr. [REDACTED]'s remarriage, but he did not indicate any knowledge of the Mexican decree. He must have taken the position that the first Mrs. [REDACTED] was still married to him because we discussed divorce.

After receipt of Mr. [REDACTED]'s letter I informed this attorney that he was absolutely without funds, that I did not know when he would come into the same, and was not interested in the matter under discussion.

You will find enclosed herewith a letter for you forwarded to me from The Waldorf.

With kind regards,

Sincerely yours,

D  
O  
K  
:  
F  
F  
ENCL.

*Dear Judge*  
*This is the letter the Baroness*  
*rec'd before we left*  
*thought you would like to have it*  
*will be home the end of the work*  
*Ed.*



AMERICAN CONSULAR SERVICE

Mexico, D. F., Mexico, May 26, 1936.

DEPARTMENT OF STATE

Mr. Edward John [REDACTED],  
P. O. Box 2042,  
Reno, Nevada.

Sir:

This Consulate General has received your letter of May 21, last, from which it is noted that you wish a copy of your divorce, as well as a copy of your marriage record.

In reply you are informed that divorce records may be filed in any of a great number of public offices in Mexico City and it is impracticable for this Consulate General to conduct the investigation which would be necessary in order to locate your divorce record. For your information there is enclosed a mimeograph memorandum prepared by this office concerning divorces in Mexico.

Very truly yours,

Alexander K. Sloan,  
American Consul.

Enclosure:  
As stated.

AMERICAN CONSULATE GENERAL

Mexico City, Mexico.

MEMORANDUM RE DIVORCES IN MEXICO

There is reason to believe that many of the divorces issued in Mexico to foreigners in recent years would be declared invalid by higher federal courts in Mexico if contested, for the reasons given below.

During an extensive investigation conducted by this Consulate General in the early part of 1934 in cooperation with the highest judicial authorities of the State of Morelos, it was found that more than 30% of the divorce decrees recently authenticated in this office were bogus. No record of them could be found in the Courts from which they purported to issue. They would appear, therefore, to be forged documents.

The Supreme Court of Mexico has rendered decisions reversing divorce decrees by State courts and establishing certain principles of law in regard to residence and service upon defendant that appear to make it possible to obtain a valid divorce decree in Mexico by mail. The translations of two of these follows:

No. 2334, 1929, 2nd Section: Summary: "The authority competent to try a divorce case is the judge having jurisdiction where the husband and wife are domiciled; and according to Article 27 of the Civil Code of the Federal District, in order to acquire domicile, it is not sufficient to live at a certain place, but necessary that the residence be habitual."(Note: A new Civil Code effective subsequent to the above decision fixes six months residence as the minimum requirement for domicile.)

No. 3485, 1930, 2nd Section: Summary: "If it is established that the defendant in a suit for divorce in the State of Morelos has his domicile without this Federal Entity, even though notice has been given by means of publication in the Diario Oficial of this State, it shall be considered that service has not been properly made and that, consequently, injunction against the sentence given may be granted since the defendant has not been given an opportunity to defend himself because of lack of notice."

VALIDITY OF MEXICAN DIVORCES IN THE UNITED STATES

The authentication by American consular officers of the signatures and seals affixed to divorce decrees does not in any manner guarantee the validity of such a document. Only a competent Court can determine the validity of a divorce decree in each case. There have been a number of decisions by Courts of the United States declaring divorces in Mexico invalid, upon the legal principle that Mexican courts cannot exercise  
jurisdiction

jurisdiction of parties and subject-matter that are not at the time and have never been within the district where the Court exercises its authority. The following recent cases are cited as an example.

A UP despatch in the San Antonio Express of May 6, 1934, reports that a Superior Judge of Los Angeles had declared a Juarez divorce illegal. The judge was quoted as saying: "Even though the consent of both parties was apparently obtained there is no showing that either the plaintiff or the defendant left the State of California where they are both legal residents, for the purpose of obtaining the divorce. This decree can be classed under the category of "mail order" divorces, the principle of which upsets all the tenets of our marriage laws established over a long period of time."

The NEW YORK TIMES of May 11, 1934, reported that the Brooklyn Supreme Court had declared a Mexican divorce invalid and granted the wife a New York divorce, \$300 per month alimony, \$1,000 counsel fees and custody of her child. Supreme Court Justice Byrne held that a new domicile (in Mexico) could not be established " for the clear and avowed intention to sever matrimonial relations, even though justified."

An AP despatch from Los Angeles and published in the Mexico City EXCELSIOR on May 10, 1934, reported that the Deputy District Attorney had filed complaints against four individuals for illegally practising law and advertising their business as divorce brokers. The Deputy District Attorney was quoted as saying that: "In view of a recent ruling of a Los Angeles Superior Court, which invalidated a Mexican decree obtained by \_\_\_\_\_ of Los Angeles, it is possible all Mexican divorces may be outlawed by the California Courts."

In the case of Alzmann vs Maher before the Appellate Division of the Second Department of the Supreme Court of New York, Judge Hagarty declared a Mexican divorce invalid because the petitioner for divorce had not proven residence in Mexico. A similar decision was made in the cases of Fischer vs Fischer.

Attention is also invited to the following cases:

Robins v Robins, 142 Atlantic 168  
Greenberg v. Greenberg, 218 N.Y. Supp.88  
Bonner v. Reandrew, 214 Northwestern 536  
Baumann v. Baumann, 228 N.Y.Supp. 559  
Commonwealth v. McMaster, 88 Pa.Super.Ct.37