

Oh Thou bounteous Spirit of all Good, Thou art, of all Thy gifts, Thyself the crown. Give what Thou canst; without Thee we are poor, and with Thee rich; take what Thou wilt away. Amen!

Wednesday, May 18, 1910.

MORNING SESSION.

PRESIDENT HOLLANDER: The Conference will be in order. The program which has been arranged for this morning's session, carrying out the general plan of this Conference, is to devote the entire morning to the consideration of one subject.

The subject is one that is absorbing, and has absorbed the attention of Jewish workers throughout the country, and presents one of the most difficult questions we have to deal with.

Mr. Morris D. Waldman, of New York, has prepared a careful paper, which he will present. This paper has been submitted to three members of the Conference, who will discuss it in the light of the preliminary study which they have made of the paper. Thereafter the paper will be open for general discussion.

The following paper on the subject of desertion was then read by the Reporter, Mr. Morris D. Waldman, of New York:

FAMILY DESERTION

By MORRIS D. WALDMAN,

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EXTENT.

As the National Conference of Jewish Charities, I take it, has for its purpose the consideration of Jewish social questions, this report must begin with an apology, for family desertion is by no means a distinctly Jewish problem. On the contrary, family desertion appears to be as prevalent among non-Jews, if not more so, judging by the reports issuing from non-Jewish charities in this country. Whereas, of the cases treated by the United Hebrew Charities of New York during the two years ending September 30th, 1908, 11.66 per cent. were cases of desertion, of 5,000 indiscrimi-

nately selected cases of the Charity Organization Society of that city, upon which Dr. Edward T. Devine's book "Causes of Misery" is based, 12.12 per cent. were such cases. In Buffalo, according to a statement made by Mr. Frederic Almy, Secretary of the Associated Charities, desertion cases formed during the past four years from 10 per cent. to 14 per cent. of the total. In that city desertion among Jews is hardly known. In St. Louis the Secretary of the Associated Charities could not furnish my correspondent with the exact figures, but stated that he suspected the desertion cases formed about 25 per cent. of the total number. In Detroit 15 per cent. of the non-Jewish cases last year were desertion cases. A more accurate basis of comparison would be the proportion of dependent desertion cases to population in Jewish and non-Jewish cases in the same city during the same period. When it is further considered that desertion among Jews is directly due, to some extent, to the unstable conditions among which they have for centuries lived, extenuation may be reasonably offered. That it is not a new problem the following extract from Abraham's "Jewish Life in the Middle Ages" will show:

"Wife desertion was an evil which was harder to deal with, for, owing to the unsettlement of Jewish life under continuous persecutions, the husband was frequently bound to leave home in search of a livelihood, and perhaps to contract his services for long periods to foreign employers. The husband endeavored to make ample provision for his wife's maintenance during his absence, or, if he failed to do so, the wife was supported at the public cost and the husband compelled to refund the sums so expended. These absences grew to such abnormal lengths that in the twelfth century it became necessary to protect the wife by limiting the absence to eighteen months—an interval which was only permitted to husbands who had obtained the formal sanction of the communal authorities. On his return the husband was compelled to remain at least six months with his family before again starting on his involuntary travels. During the first year of marriage it became a well-established rule of conduct that the husband was not to leave home on any considerable journey." A treatise called "Kontres Hoagunah," published in

Salonica in 1651, deals exclusively with the problem of family desertion. Section 17 of the Shulchan Aruch, the Jewish Code, treats entirely of this problem. Even here Koheleth's reputation for wisdom is vindicated—there is nothing new under the sun. In the Jewish Encyclopedia Dr. Kaufman Kohler's treatment of the Jewish law of desertion is further proof that we are not dealing with a new problem. The fact that there is a Hebrew word for a deserted woman, "Agunah," shows that she was not unknown when Hebrew was the vernacular.

It is not the purpose of this report to deal with the entire question of family desertion. Our legitimate interest is confined to only that small proportion of desertion cases in which the desertion has driven the wife to apply for aid at a relief agency. But even as a charity problem it is a serious one in most of the larger cities of the country. In St. Louis 78, or 7 per cent. of the total number of applicants last year, were deserted women; in Baltimore 90, or 16 per cent.; in Chicago 204, or 11 per cent.; in New York 1046, or 10 per cent. In Chicago over \$11,600 was spent by the Jewish Charities on desertion cases last year; in Baltimore, \$3,000; in San Francisco, \$2,650; in New York, \$37,000. This does not include the cost of maintaining children of deserted wives in the orphanages, hospitals and other institutions. The number of such children in the Jewish child-caring institutions of New York probably exceeds 600, costing for their maintenance annually \$70,000. The exact number could not be furnished by all the institutions. The United Hebrew Charities of New York had on its records last year 1046 deserted women as against 1655 widows. That is, to every three widows the organization entertained applications from two deserted women.

The problem of desertion is probably the most vexing and perplexing with which relief agencies are called upon to deal and, though from time to time experiences at these conferences have been interchanged, a solution has not yet been discovered which can be applied generally. Mr. Jacob Billikopf, of Kansas City, writes that his society had to deal with only one case of abandonment last year, and further says that the reason they have so few deserters is because he has gained an unenviable reputation

as a prosecutor. Mr. Billikopf is evidently fortunate in being a member of the Board of Parole and Pardons in his city, invested to some extent with magistrate's power. Possibly it would be wise for the superintendents of the charities of smaller cities to have themselves appointed magistrates, but those of us unfortunately who are at the head of charities in the larger cities have so much to do with the management of their own organizations that they must forego such opportunities to serve the general community. Dr. Bogen, of Cincinnati, has apparently also arrived at a solution, and that without being a magistrate. His plan is just the other way; instead of sitting in judgment upon all such delinquents, he refuses to sit in judgment upon any and turns them all over to the Ohio Humane Society. Dr. Bogen wrote me last year that he had only 12 cases of desertion—eight new and four from previous years. When I wrote asking how many desertion cases Cincinnati had the year before this plan was introduced he replied that it would be difficult to trace, but stated that the first year the plan was inaugurated they had 23 new cases and 7 old ones—30 in all—or two and one-half times as many as during 1909. He is sure, however, that they had many more than at present.

I presume the term "scientific charity" is taboo at this conference, a counter reformation in Jewish Charities having apparently set in. The pendulum which ten years ago swung from the heart to the brain in charity work seems now on its return swing. However we may feel on the subject of "scientific charity," it must be conceded that probing into the causes of our social problems is altogether necessary before we can begin to formulate plans for their elimination. It was with this conviction that in 1902 the United Hebrew Charities of New York undertook an investigation of the causes of desertion among 250 cases, and it is something in the nature of a coincidence that I was the investigator. I had never before been connected with a charity organization, had not been specially interested in the problem of wife and child abandonment, and so brought to the work a *tabula rasa*, so to speak, without preconceived notions that could be prejudicial to the investigation. The results of that investigation stimulated the society to greater energy in the direction

of making the law of desertion in New York severer in punishment than it was at the time. The study was quite intensive in character and the method pursued could only be very crudely applied at this time to an investigation in other cities, especially as the present investigation had to be made within a very limited time by different persons, with differing forms of record.

I wrote to the following cities for information: Boston, Philadelphia, Baltimore, Detroit, Cleveland, Cincinnati, Louisville, St. Louis, Chicago, Kansas City and San Francisco. Louisville, Cleveland and Boston have not replied. Louisville states my letter did not reach. Detroit and Philadelphia could only give information concerning their new cases; the former city had only six cases in all and therefore its experience was quite useless for our purpose. In some important details none of the cities could give the required information; not one could furnish comparative figures of desertion cases and total number of cases for any considerable length of time, making it impossible to judge accurately of the increase or decrease of such cases. I fear that my persistent questioning severely taxed the patience of some of the superintendents of the societies. One superintendent was too busy to compile the necessary figures, but extended a cordial invitation to me to send someone there for them, a thousand miles away. My experiences suggest that the only way in which to secure reliable information upon this subject is to induce the various organizations to carry on uniform statistics. I have prepared forms which, if approved, should be distributed among the organizations not later than September 1st, before the beginning of their fiscal year; these forms should guide the study of the subject the whole of the year. The returns then could be compiled by a committee appointed for that purpose, and published by the Conference before its next convention.

It is only fair to say that the responses to my inquiries were in general very cordial and our thanks are due to all the organizations which replied, for their prompt and willing co-operation.

CAUSES OF DESERTION.

The answer to the question, "Why do men desert their families?" would not only be interesting because it would satisfy

a natural curiosity, but also because it would point the way to a solution of the problem. Miss Zilpha D. Smith, who made a study of deserted cases in Boston in 1901, said: "To answer this satisfactorily one would have to make a psychological study of the mind of each deserting husband, a most difficult task, since it was difficult even to make his acquaintance." Only a very small percentage of returning husbands apply for relief after their return, and so it is only rarely that we have been able to get at the reasons for desertion from the lips of the delinquents themselves. In the hope that I might secure some valuable information of this kind, I asked the investigators of my staff to visit as many as possible of the new desertion cases of last year who have not applied for relief this year, and to ascertain, among other facts, the cause of desertion in each case. In all 105 cases were visited; of these 69 could not be located, having moved from the former address; in a very small number of them neighbors and relatives volunteered some information which usually, however, was too vague to be reliable. Of the remainder, in 13 cases the husband had not returned nor was his whereabouts known; in 5 reunion between husband and wife had been effected in a city outside of New York; in 6 the husband had been located, but had not returned; in only 12 cases was it found that the husbands returned and were interviewed by the visitor. Of the 17 who had been reunited either in New York or elsewhere 10 had left because of lack of work or insufficient earnings; 2 because of incompatibility of temper; 1 because of interference of the mother-in-law (strangely enough both the husband and wife in this case were deaf mutes); 4 had left for reasons unknown. The causes given originally for the desertion differed, as far as could be learned, in four cases from the cause ascertained after the husband was interviewed. In two cases the cause given was lack of work and was eventually found to be incompatibility of temper; search for work was not the primary cause in either case. In the other two cases, where the cause at first was unknown, the return of the husband showed in one other women and in the other, incompatibility of temper.

It will be of interest here to remark that in the investigation made in 1902 of five cases where the wife had alleged the cause

for her husband's departure to be another woman, in three the return of the husband proved the desertion to be due to a less reprehensible cause—namely, incompatibility of temper.

It is safe to say that the cause of family abandonment is in every case not simple, but complex. It is impossible to determine all the incidences and factors which drive a man to leave his family to the tender mercy of circumstances. It is only possible after even the most searching investigation and analysis to arrive at the chief cause and this, as the above experience and for that matter the experience of us all shows, is often doubtful. After my investigation of 1902 was made I tabulated rather crudely the chief causes in the following way:

Other women.....	65
Licentiousness	10
Dissipation	10
Gambling	7
Drink	6
Woman's immorality.....	3
Laziness	16
Marriage for money solely.....	3
Incompatibility of temper.....	19
Interference of relatives.....	12
Roving disposition.....	3
To seek health.....	9
Man's insanity.....	4
Woman's insanity.....	1
Woman's sickness.....	1
Money fever.....	1
To seek work.....	62
Unknown	12

Though these figures in their very nature cannot be absolute, a similar tabulation made in a recent investigation of 86 cases carried on from January 1st to March 15th of this year, would indicate the general correctness of my early observations. Where immorality of the husband appeared to be the cause in 1902 in 30 per cent. of the cases, it was 22 per cent. in the recent investigation; where lack of work was 25 per cent. in 1902 it was

25 per cent. in 1910; where incompatibility was 17 per cent. in 1902 it was 20 per cent. in 1910. In all the other cases about the same percentage prevails.

This recent investigation was made by Mr. Monroe M. Goldstein, a young attorney, who had never before been interested in the subject, and who was wholly unaware of the 1902 investigation.

The main causes of desertion can be divided into two classes—subjective and objective. In the first class are those cases in which the self-indulgence of either spouse is to blame; in the second are those where the cause springs from conditions over which neither has control. Roughly speaking, the first class includes those cases where immorality or other bad habits are the cause; in the second, where industrial conditions or illness is the cause. A mere glance at the table above mentioned shows that in the majority of cases the self-indulgence of the spouse, usually the husband, is the chief cause.

Miss Smith, of Boston, reported that as far as she was able to determine 11 per cent. of the 234 deserted families she had investigated, among the applicants at the Associated Charities of Boston, were due to immorality, whereas over 30 per cent. of the United Hebrew Charities cases investigated in 1902 were due to this cause. In the recent United Hebrew Charities investigation, of 86 cases 22 per cent. were due to this cause; this would seem to indicate a rather shockingly high proportion of immorality among the Jewish cases in New York and higher also than in the Jewish cases in other cities. In San Francisco it was 20 per cent.; in Philadelphia, 21 per cent.; in Baltimore, 11 per cent.; in Chicago, 15 per cent.; in St. Louis, 8 per cent.; in Cincinnati, 8 per cent.; in Detroit 2 of the 6 new cases were due to this cause, but the cases being so few the proportion is not indicative of the general situation. However, in the report of Miss Lillian Brandt, made among non-Jewish cases in 25 cities, of 386 cases where the cause was available in 110 cases, or 28 per cent., was the cause due to what she terms "sexual irregularity." In 53 the men had left with another woman; in 22 they had left for other women, showing licentiousness; in 17 the women were blamed to be lax in their morals; in 15

both were lax; in 9 the man had married to make the child legitimate. In this connection it is interesting to note that in only three of the 250 Jewish cases investigated in 1902 were the women known to be guilty of sexual irregularity. The investigation made by Miss Brandt shows that immorality is the cause more frequently among non-Jews than among Jews; nevertheless, the large proportion of such cases among Jews is alarming in the light of our pride in the decency and purity of Jewish family life. There is undoubtedly a peculiar reason for this disagreeable situation. The 1902 investigation was made in two sections; the second section comprised 128 cases; of these 33 were due to other women; of these 33, careful inquiry disclosed the fact that in 22, or 67 per cent., the husband had arrived in this country at least six months before his family. In the majority of the cases he had arrived one year or more prior to his families; of the 19 cases investigated by Mr. Goldstein, in which the husband had ostensibly deserted because of other women, 11 had arrived before the wife. This fact undoubtedly presents some extenuation for the surprisingly high percentage due to immorality, for it is among the Jews principally that the husband leaves his family in Europe to come to America unhandicapped in his effort to establish a firm footing. It is not so surprising for men thus situated to enter into relations with young women. When it is considered also that marriage among these people in the old countries is very frequently made through the instrumentality of *shadchanim*, or marriage agents, rather than through the natural channel of love and affection, the offense, though reprehensible, appears less surprising. It cannot be doubted that in many of these cases, had their families arrived with them, the men would not have yielded to a stranger's charms.

It has been commonly supposed that lack of work is the main general cause of family abandonment among the poor; our investigation shows that this is not so. In St. Louis 28 per cent. were due to this cause; in Chicago, 25 per cent.; in Baltimore, 18 per cent.; in San Francisco, 14 per cent.; in New York, among the United Hebrew Charities cases both in 1902 and 1910, 25 per cent. It is also the general impression that a condition of

unemployment stimulates an increase in desertion. Baltimore writes in reply to my inquiry, "Was there an increase or a decrease over previous years in desertion cases from November, 1907, to January, 1909 (during the hard times)?" as follows: "The Federated (non-Jewish) Charities could not furnish the desired information; the Catholic institutions state that there was neither an increase nor a decrease during the hard times. In the number of Jewish desertions there was an increase of about 10 per cent. during the time of the crisis and a decrease of the same percentage since January, 1909." In reply to my question, "If either, increase or decrease, how do you account for it?" the answer from Baltimore was: "The increase in the number of desertions during the hard times can be readily explained by the fact that during that time work was very scarce and a number of men left the city in search of employment, in the meantime leaving their families to be assisted by the charitable institutions." Chicago writes that there was an increase, due to lack of employment. Frederic Almy, of Buffalo, in a letter to the Hon. Frank Wade, of the same city, written in November, 1909, speaks of the decrease of desertion as follows: "This seems to me very gratifying, especially when we remember that we have had two years of hard times, when desertion would naturally have been more frequent." I fear that this belief is not founded upon facts. In New York the situation seems different; hard times and consequent unemployment seem to have very little relation to desertion, as the following figures will show: Between October, 1908, and April, 1909, when the United Hebrew Charities was subjected to the heaviest demands in the history of the society, and when those who applied because of lack of work reached unprecedentedly high figures, the number of desertions was hardly greater than during the same period of the present year, when industrial conditions were normal. In October, 1908, when the total number of new cases reached 451 and 138 were due to lack of work, 44 were due to desertion. In November there were 409 new cases, of which 155 were due to lack of work and 35 were due to desertion. In December the figures were total 488, 198 due to lack of work and 29 to desertion. In January 637 was the total number of new cases—243 because of lack of work

and 37 due to desertion. In February the figures were 456, 167 and 35, respectively. In March 418, 114 and 30. During the present fiscal year, when the total number of new cases in October was 212, lack of work was the cause in 30 and desertion in 33; in November the figures were 287, 29 and 29, respectively. In December 384, 99 and 33, respectively. In January 359, 89 and 32, respectively. In February 339, 300 and 15, respectively. In other words, for the first six months of the last fiscal year, when unemployment was general and the new lack of work cases numbered 901, the total number of desertion cases during this period was 180, whereas during the same period of the present fiscal year, with industrial conditions normal, the number of lack of work cases was 300, or less than one-third of the whole number of lack of work cases during the hard times, and yet the desertion cases numbered 150, only 30 less than the whole number of the desertion cases during the hard times. Or, basing the analysis upon the total number of new cases, we find that during the hard times of the 2,441 new cases desertion cases formed a total of 7.4 per cent.; whereas during the good times they number, out of 1,600 new cases, 10.4 per cent. That is, though there were actually fewer desertion cases during the good times, they were entirely out of proportion to the tremendous decrease in unemployment cases. The experience of the Jewish Charities in Philadelphia shows a reduction in desertion cases during hard times; Max Herzberg writes as follows: "We find that there is less desertion when work is slack and business conditions bad than in other years; men rarely desert their families in order to better their condition; the hard-working man out of employment is not likely to run away and leave his family dependent upon charity; the deserter is usually immoral or shiftless, and in bad times he is not apt to have the money to gratify his wandering proclivities." Another reason advanced for this, which appears plausible, may be that during the hard times the hard-working man realizes that it is useless for him to go elsewhere in this country, because the chances of his getting work elsewhere are just as slim as they are in his home city. My own impression is also that during the hard times relief agencies permit unemployment to be a legitimate ground for the granting of relief;

in other words, it is not necessary for a man to desert his family during such times in order to insure aid for them on the part of the charities.

It will be more accurate probably to attribute the cause of the 25 per cent. of desertion cases in New York to insufficient earnings rather than to lack of work. Of the 21 cases where lack of employment is given as the cause of the 86 recently investigated cases, the average weekly earnings of the man while employed were approximately \$9.30 and the number of persons in the family averaged 4. Of these, 12 were engaged in the needle trade, 6 were peddlers, 1 was a shoemaker, 1 a tinsmith and 1 an expressman's helper.

It has been our common experience that the birth of a child or the expected birth of a child is a frequent incident in a desertion; this is particularly true in cases of lack of work or insufficient earnings. In the 1902 investigation out of 33 cases of the second section in which the cause was lack of work, this was the case in 14, or about 40 per cent.; 8 occurred before the wife's accouchement and 6 after.

The next most frequent causes for desertion are incompatibility of temper and interference of relatives, the latter very often involved in the former. Though the husband is partly to blame in these cases, the incompetence and ignorance of the wife and indiscretion of relatives are largely at fault; economic conditions is also frequently a subsidiary cause. The following extract from my report of 1902 is as true today as it was then. "One need but visit a few families to see that the word 'home' is but a mockery for the dirty, ill-smelling rooms in which many of our applicants are forced to live. When we remember the typical housewife must wash, iron and scrub, must prepare her children for school, must usually nurse a baby and in addition must cook for the family, we cannot expect her to provide an attractive home for her husband; in a great many cases the husband is employed in some shop or factory in the vicinity of Broadway (for most of them are engaged in the garment trade) and so is brought in contact with orderliness and cleanliness. In most cases it is cheaper for the man to have his noon-day meal in a neighboring restaurant, where for 25 cents, or 20 cents or even

15 cents, he can obtain a fairly well prepared meal—not a meal truly which would attract the fastidious, but in reality infinitely better cooked and better served than at home. The man becomes accustomed to his separate plate and his cloth napkin, unheard of luxuries at home; the aesthetic sense in him is developed; the meals at home are no longer appetizing; apart from the character and service of the food, the home environment becomes most unattractive; with the wash tub in the middle of the room, the clothes hanging up near the stove to dry, if it should happen to be a rainy day, the wife unkempt and fretful and the children noisy. All these things have their effect in alienating the man's interest from his family; coming in contact with the outer world, the husband rises to a higher standard of living and he finds the 'home' atmosphere decidedly uncomfortable. This is surely true in many cases, though of course it is impossible to tabulate figures which will show in just how many cases the husband's standard of living has risen above that of his wife." In cases where the husband arrived before his wife the likelihood of such alienation obviously is greater. Incompatibility of temper seems to be a frequent reason for desertion in other cities of the country. In St. Louis 35 per cent. of the cases are attributed to this cause; Chicago, 15 per cent.; Baltimore, 22 per cent.; San Francisco, 28 per cent.; Philadelphia, 30 per cent.; Cincinnati only 8 per cent., but only 12 cases were entertained by the charities of that city and the figures are not, therefore, indicative.

Disparity in the ages of husband and wife is undoubtedly often conducive to a discontent which results in family abandonment. In over 10 per cent. of the cases investigated in 1902, the wife confessed herself older than her husband; the percentage is probably much higher. It would naturally be expected that the greatest number of those whose motives for abandonment is immorality would show a disparity of age as a subsidiary cause. A table which I prepared showing the relation of main causes to other factors has unfortunately been lost, but I recall that it was in cases of immorality that disparity of age was most frequent. Of the 250 cases 85 husbands were between twenty and thirty years of age; 118 between thirty-five and forty; 40 between forty and fifty and only 2 were over fifty. Those who deserted for other

women were largely between thirty and forty; 50 per cent. of the husbands were between these ages, 25 per cent. between twenty and thirty and 25 per cent. above forty. In the cases investigated by Mr. Goldstein only one was discovered where there was a difference between the ages of the spouses. In this case the wife was thirty years old and the husband sixty. Upon inquiry as to why she married so old a man, she naively explained that she thought this was a sure way of keeping a husband. The poor thing was wrong.

It was pitiable to observe that in 50 out of the 62 cases in which the cause was lack of employment or insufficient earnings, the husbands were below the age of forty, at a time when they ought to have been best fitted to fight the battle of life. In some cases undoubtedly the men were industrially inefficient; in many of them, however, unfortunate industrial conditions were to blame.

In those families which were disrupted because of unpleasant and conflicting tempers investigation showed that about 60 per cent. of the husbands who deserted were above forty. This does not indicate necessarily that discontent arose after many years of wedlock, for among the 19 cases in which the man's desertion was due to incompatibility of temper 10 were repeated desertions, earlier desertions having taken place while the men were still quite young.

It is astonishing to learn that with a number of husbands who leave wife and children desertion has become practically a habit; among 219 cases 37 men deserted twice, 9 three times, 6 four times and 20 more than four times, a total of 72, or nearly 33 per cent. who deserted their families more than once. More remarkable is it still to observe that repeated desertions are comparatively rare in those cases, where the cause for desertion is to seek work (only 7 out of 49).

The investigation made by Mr. Goldstein shows that of the 21 cases in which lack of work was the cause, only 2 had deserted before. It may be stated generally that one desertion is usually enough for a man whose only cause for leaving his family is unemployment or insufficient earnings. Cases of repeated desertion are very frequent where the cause is immorality. The 1902 investigation showed 33 out of 64, over 50 per cent.

It must appear strange to learn that repeated desertions are common in those cases where the cause is immorality. It is no doubt shocking that women, once deserted for other women, and in a number of cases three to five times, are willing to receive their husbands back again. This is evidence of lack of proper self-respect on the one hand or abject poverty on the other. In a number of cases the deserted women emphatically declared that they would never again become reconciled to their husbands, but often the women stated that as they could not themselves support their children, they would be willing to receive their husbands back again were they to return. In one case the husband had remained away on and off for seven years, and had lived with another woman during these intervals and had had children by her, but had meanwhile supported his wife and legitimate children by weekly allowances. One year prior to the investigation he decided to return for good to his first wife; he lived with her for nearly a year and then left her, but never failed to give her \$6 a week. What is more astonishing in this case is the fact that when the husband returned for good to his wife he brought his illegitimate children to her and she willingly cared for them, though their mother was living.

The cause for desertion in this case was not originally the other woman, but incompatibility of temper. After he had deserted he fell in with the woman, had two children by her, to whom he was as much attached as to his legitimate offspring. The parental love which induced him to give his wife a weekly allowance prompted him to take his illegitimate offspring from the custody of his paramour, who was unfit to care for them, and give them in charge of his wife, whom he disliked but respected. The wife, on the other hand, was moved by feelings of pity for her husband's illegitimate children and so was willing to receive them in charge. There were redeeming qualities both in the husband and the wife.

It is in those cases where the cause for desertion was incompatibility of temper that we expect to find the greatest proportion of repeated desertions, and investigation bears out our expectations. Ten out of nineteen were cases of repeated desertion. The study of repeated desertions is especially valuable in directing

the manner and method of the treatment of the family; such a study is indispensable in each individual case, for upon it must the visitor largely base her recommendation of relief.

Another correlative factor that must enter into the wise treatment of a deserted family is the study of the length of time the husband has remained away during his desertion. It may be stated as a general rule that the interval of desertion in cases of oft repeated abandonment is nearly arithmetical in its progression. In 18 cases in which the husbands returned after a search for work not one had remained away longer than six months. Indeed, 13 were away less than one month. In cases where other women was the cause, the greater number, oddly enough, remained away either between two and six months or between one and two years; 11 in the former and 7 in the latter, and only 2 between seven and twelve months inclusive. All told, the greatest number of so-called chronic deserters stayed away no longer than six months; more than half of the whole number of returned husbands show the return before six months. In only one case did the husband remain away longer than two years, and the cause of his desertion was other women. In the 17 cases which applied for the first time at the United Hebrew Charities of New York in 1909, but who did not repeat their application during the present fiscal year, in which the husband had been found at home again, none had remained away longer than eleven months; 7 remained away less than six months. The 1902 investigation showed that the greatest proportion of those who returned were those in which the cause was gambling; 7 had deserted for this reason and 3 of them had returned. The next highest proportion of returned husbands was among those whose cause was sickness and search for a better climate, numbering 3 out of 9. Out of the 62 cases in which search for work was the cause, 18 returned, and not one of these 18 had remained away longer than six months. Of all the returned husbands, numbering 36, 7 had deserted more than once; in three of them the latest desertion was the second one, and in the other four, more than the fourth. In the other cities of the country the proportion of desertion repeaters varies somewhat. In St. Louis 85% of the desertions were the first, 10% were

the second, 5% the third or more. In Chicago, 62% deserted once, 10% twice and 8% three times or more. In Baltimore 55% were the first offenders, 22% second and 22% three or more. In Philadelphia, the percentages are 86, 9 and 5, respectively.

Among the factors which are responsible for family abandonment and yet which cannot be said to be the chief or immediate cause, there are several which stand out prominently, such as the health of the wife, repeated marriage, and vicious companionship. To illustrate, in the 1902 investigation, it was found that the wife suffered from some chronic ailment or physical debility; in 46 cases or about 19%. A considerable proportion of those were probably unable to continue marital relations. In Cincinnati, the report states that 33% were in this condition; in San Francisco 7% and in Philadelphia 5%.

As far as repeated marriages are concerned, it is of interest to know that in the cases of 1902, where the cause was unknown, numbering 12, in five of them the deserter was the second husband; of those cases where the main cause was interference of relations, numbering 12, in four of them were the deserters the second husband.

Nearly as interesting as the question, "Why do men desert?" is the question, "Why do men return?" Of the 250 cases in 1902, 37 returned; of these 18 had left because of lack of work or insufficient earnings; 14 of them returned because the prospects of steady work or higher wages were no better elsewhere than in New York; in three they had returned because of the birth of a child; one returned after having heard of the sudden death of his wife. Of those who had left because of incompatibility of temper, only four returned; in one the cause of his return was fear of prosecution, in the other three ill health was the cause. Of those whom gambling had seduced, three returned in remorse. Of the 65 cases in which immorality was thought to have been the cause, five returned. In two the real cause was found to be incompatibility of temper, leaving three husbands where the cause had been correctly surmised at first.

Of the cases investigated by Mr. Goldstein, six returned of their own accord. In five the cause originally given was lack of

work; in four of these the return of the husband showed the cause to have been correctly given. In the sixth case the real cause was correctly given—laziness. In the seven cases where the return of the husband was secured through the efforts of the Charities, the true cause had not been given in two cases. In one where lack of work had been stated as the cause, the return of the husband showed the man's sickness to have been the real cause. In one where bad habits was the alleged reason, it proved to be incompatibility. In the seven cases where the man had been arrested, or interviewed and threatened with arrest, the real cause was found to have been given correctly. In thirteen cases where action is pending and the whereabouts of the husband is known in only one case as far as could be ascertained, was the given cause not the true one. In this case the alleged cause was incompatibility; the real cause is another woman.

REMEDIES.

Many who have been dealing with desertion have sometimes felt that the evil might be checked to some extent if the relief agency were to refuse to entertain desertion cases. The experience of Cincinnati would indicate that such a plan would be effective, though Dr. Bogen was unable to tell accurately just how effective it has been in his city. When asked for suggestions as to reducing the evil, he tersely replied, "Don't handle it as a charity proposition." The Cincinnati plan is a drastic method which under any circumstances could be applied only where a clear and sympathetic understanding exists with a public agency like the Ohio Humane Society. It is probable, however, that such a method would only discourage those from deserting who really care for their families. It may be assumed that it would check those who desert because of lack of work, roving disposition, to seek health and gambling, which form about one-third the number of cases. It would discourage some also undoubtedly, who leave for more reprehensible reasons. Roughly speaking, such a method might reduce the number of desertions to about one-half. But the expense to the organization would by no means thereby be reduced by one-half. For those who have the interest of their families at heart sufficiently to return if they found

them denied relief, do return nevertheless of their own accord within a short time. And their families are only a temporary burden to the Charities. Only a small percentage of deserted families remain a permanent burden. Of the 403 new desertion cases on the records of the United Hebrew Charities of New York in the fiscal year 1908-1909, only 54 or 13% have applied for relief this year. As stated before, of 105 cases visited recently, forming a considerable number of last year's new desertion cases which had not applied this year, in only 19 had we knowledge of the failure of the husband to return; in 69 the families could not be located, and even if it cannot be assumed that they all returned, it is probable that the great majority returned; at any rate they did not apply again for relief. It is true that the United Hebrew Charities of New York has, at the present time, 652 cases of desertion where the first application for relief was made more than one year ago, but these are cases largely where all hope of the husband's return is lost, and probably where even the rigid policy of refusing relief would not induce them to return. Many of them may no longer be living, for who knows how many of these deserted women are in reality widows, their husbands having met with sudden or violent deaths, unknown to them. The United Hebrew Charities of New York has 80 desertion cases on its pension lists, who draw in round figures \$1,000 per month in relief. Of the 652 cases of desertion above mentioned, in 62 though the cause of distress this year is desertion, the wives applied for relief in previous years for other causes.

Of these 9 applied for a different cause over 10 years ago.

"	"	3	"	"	"	"	"	9	"	"
"	"	6	"	"	"	"	"	8	"	"
"	"	1	"	"	"	"	"	7	"	"
"	"	2	"	"	"	"	"	6	"	"
"	"	4	"	"	"	"	"	5	"	"
"	"	2	"	"	"	"	"	4	"	"
"	"	2	"	"	"	"	"	3	"	"
"	"	15	"	"	"	"	"	2	"	"
"	"	18	"	"	"	"	"	1 year	"	"

Of the remaining 590 desertion cases whose original application over a year ago was due to desertion,

130	or 22.0%	applied over 10 years ago.
26	4.4%	" " 9 " "
21	3.5%	" " 8 " "
32	5.4%	" " 7 " "
40	6.7%	" " 6 " "
47	7.9%	" " 5 " "
40	6.7%	" " 4 " "
61	10.3%	" " 3 " "
95	16.0%	" " 2 " "
98	16.6%	" " 1 year "

Judging by our experience in 1902, where only one of the returning husbands had been away longer than two years, we can reasonably assume that a man who remains away from his family over two years will not be brought back by the failure of a relief organization to support his family. Therefore, if the Cincinnati method were to be applied in New York, it may be assumed that 68% would not return. Moreover, of the 32% who had been away less than three years, 68%, or 131, judging by previous experience, are bound to remain away longer than three years, leaving only 62 cases in which the husband might be expected to return. So it would appear that the Cincinnati method would discourage only the temporary deserter, who cost the United Hebrew Charities of New York last year only \$1,750 (leaving \$35,000 as a necessary relief expenditure for the others), and 10% of the permanent desertion cases which cost the organization \$3,500. The total saving therefore by applying the Cincinnati method to New York, if successful would be according to this analysis, only about \$5,000, or 1/7 of the total cost. It is not our desire to prevent only those men from deserting who rely upon the Charities to assume their legal and moral family responsibilities. We want to reach that much larger number who desert regardless as to whether the Charities care for their families or not, and for this purpose we must look to other means.

In the very comprehensive report of the Committee on Desertion presented to the National Conference of Jewish Charities in

1900, are given suggestions to prevent or reduce the evil of desertion. Briefly summed up, they are:

First—Elevation of the general tone of our co-religionists.

Second—The co-operation of the various Jewish societies in ferreting out the deserter, and the proper steps towards his arrest and rendition to his residence for punishment.

Third—Charity societies should strive to influence legislation in different states to make abandonment a criminal offense, and to insure the rendition of fugitive husbands.

Elevation of the general tone of a community is a slow process. There is one method that is promising of quicker results, and that lies in the strong hand of the law. At the time this report was submitted, the law in most States was not very helpful. In New York abandonment of wife and children was not a crime; it was only disorderly conduct and the culprit was ordered to pay a specified sum weekly for the support of his family. He was placed under bonds to pay this money for one year. If he could not procure surety, the City Magistrate would convict him as a disorderly person and sentence him to imprisonment for not longer than six months. As an instance of our powerlessness at that time, in the face of this serious evil, I cite the following case:

The United Hebrew Charities received a communication from the London Board of Guardians to the effect that among their charges was a woman with three children, who had come from Russia en route to the United States, in order to find her husband who is in New York, address unknown, and asking the United Hebrew Charities to look the man up and let them know whether it was advisable to have them send the wife on to New York. After considerable difficulty, I discovered the man's whereabouts, found him living with another woman, and learned the following as the result of a thorough investigation. That the man had given his wife a "ghet" in Russia more than ten years ago, but owing to his love for the children, he became reconciled to her several years later. After a time, however, she again made life unbearable for him and he left for New York, but sent remittances to her at irregular intervals. In New York he fell in with an attractive widow, with whom he had been

living for more than four years, and for whom he entertained real affection. He was willing to become custodian of the children. An aunt of the deserted woman, living in New York, asked the United Hebrew Charities to recommend her niece's transportation hither, claiming that the husband would live with the wife once she arrived. The husband, on the other hand, stated positively he would not live with her and that if she came, he would leave the city. He was, however, willing to send weekly remittances through the United Hebrew Charities of \$5 per week, on condition that she remained in Europe. This case brings out practically all the difficulties bearing on desertion at that time. If this man ceased sending remittances, he could have done so with impunity, because under the law as it was then, nobody but a wife could be a competent witness against him. If his wife had been sent here and he had become aware of it, he could have gone across the river to Jersey City, out of New York's jurisdiction. Being a painter, he could easily have found work in any city and it would have been a comparatively easy matter for him to go from one State to another. No matter how close and warm the co-operation between charity societies, it would practically be impossible to discover his whereabouts. If, on the other hand, we would have had his wife come over without his knowledge, have helped her to obtain a warrant for his arrest, have had him arrested and brought before the Magistrate, the latter at best would have ordered him to pay a specified sum per week and would have placed him under bonds. If he could not obtain a bondsman, he would have gone to jail for six months and his family would be dependent on the United Hebrew Charities, because in the Workhouse the man is made to work but neither he nor his family obtain anything for his labor. If he should have been so fortunate as to obtain a bondsman, the Court would have ordered him to pay probably \$3.00, \$1.00 per child, (the man claiming to earn but \$12 per week in busy season)—\$2.00 less than what the United Hebrew Charities succeeded in forcing from him, and then after a year, he would have left the city. As it was, he sent sufficient for the support of his family in London through the Charities of New York, but at the same time the Society was forced to act as party to the illegitimate relation between the man and the woman with whom he then lived.

This typical case shows all the obstacles existing at that time in the way of overcoming the evil of desertion by legal means. And these obstacles exist today in every State where desertion is not an extraditable offense. Fortunately for the relief organizations in New York, largely through efforts of Dr. Frankel, child abandonment was made an extraditable offense in 1905, and so today in such cases, the offender cannot escape punishment by leaving the State, nor is it necessary for the wife to be a witness against him. Of the 19 cases in which the deserter returned between January 1st and March 15th of this year, 8 were brought back by the threat that the felony law would be invoked, 5 were arrested, of whom 3 were extradited through the Desertion Bureau of the Educational Alliance, which furnishes legal assistance to the Charities in these cases. Of these 1 was extradited from Chicago and is awaiting trial, and the other 2 have been convicted, one under suspended sentence to pay \$10 a month to his wife and child and one serving a sentence of two years' imprisonment and fined \$1,000.

Since the law went into effect the latter end of 1905, the District Attorney of New York entertained up to January 1st, 1910, altogether 128 cases of child abandonment. Of these, indictments were secured in 93 cases and convictions in 72; up to the middle of last year the District Attorney's office displayed but meagre activity in the direction of prosecuting deserters under the felony law. It is difficult to estimate the effect of this law upon the Charities. From the following figures of the United Hebrew Charities, it will be observed that the actual number of desertion cases has not varied much during the last seven years, even in terms of total number of cases:

Year.	Desertion		
	Cases.	Per Cent.	Total.
1903	1052	9.5	10,924
1904	970	9.3	10,334
1905	1124	11.2	10,015
1906	1040	12.2	8,643
1907	1006	11.0	8,970
1908	1049	9.7	10,776
1909	1046	10.1	10,296

But when it is remembered that the population of the city has increased considerably, it appears that desertion has relatively decreased. In 1902 the Jewish population of New York was estimated to be about 500,000. Today, the population probably exceeds 800,000. In 1902 the number of dependent desertion cases being 1,052, was .21% of the total Jewish population of the city. In 1909, being 1,046, it formed only .13% of the total population.

It is impossible to ascribe the relative decrease to any one cause. The establishment of a Desertion Bureau has probably been instrumental to some extent in checking the growth of the evil. The felony law may also have had some effect, even though it has not been energetically administered.

Of late, however, with a new district attorney in office, extraditions have been increasing and should this energetic policy be continued throughout his administration, we shall at its expiration, be better enabled to determine whether the felony law is having the desired effect as a deterrent. Detroit writes that child abandonment is a felony in Michigan and because of this law, desertion has been reduced. In Ohio, child abandonment is a felony also, yet the Cincinnati Charities attribute its decrease in desertion cases to its peculiar method of treatment. In St. Louis, it is a misdemeanor and Mr. Seman suggests as a remedy the enactment of the felony law. In Baltimore also it is a misdemeanor, and the Society says it can therefore secure only limited support from the courts. In San Francisco it is a felony, the law having been enacted by the last Legislature, but Mr. Levy, the Superintendent of the Relief Society in that city writes, "it is ineffective because the case must first come before the police judge, who invariably releases the offender on probation." He writes furthermore that police and superior judges look with disfavor upon the law making wife desertion a felony and it is only in an aggravated case that a police judge will permit a charge of felony to be entered. The man is usually prosecuted under a misdemeanor charge, and if at all punished, is in prison for a few days, never in his cases for over a week. In Philadelphia desertion is a misdemeanor, but is extraditable, punishable by imprisonment for a term of one year and also an order against the man for the support of the wife, giving the same advantages for prosecution that would be enjoyed if the law were a felony.

It has been maintained that a misdemeanor is an extraditable offense and that it would be far better if emphatic pressure were brought to bear upon State authorities to regard it as such, than to make the offense a felony. For if this would be done, the culprit could as readily be apprehended and brought to justice without placing the stigma of felon upon him, and through him, upon his innocent wife and children. But even if the offense be extraditable the evil cannot be reduced so long as the Courts do not enforce the law, as has been the case in San Francisco, and to a large extent, in New York City. It is likely that by concerted effort, a sufficiently strong public sentiment could be aroused to influence the judicial authorities to realize the gravity of the problem. But even with this aroused public sentiment, little could be effected so long as our courts are overburdened with work and their calendars clogged. In most of the States no provision is made for public out-door relief. Therefore the financial burden of the evil of desertion is not felt by the State, but by the private relief agencies. Because the public shoe does not pinch, the delinquents are, under present conditions, dealt with leniently, hastily and in haphazard fashion. Possibly one method to arouse the courts would be for relief agencies to turn the families of deserters over to the public charities; but this would in most States mean the disruption of the family, an evil more serious to the relief agency than the expense of maintaining the family.

Desertion being a peculiar form of delinquency in which the wife and children are doubly the victims, the conviction has been growing that special provisions should be made for State supervision. The conditions of the Courts, particularly the inferior courts, are anything but helpful to a wise, just and judicious disposition of the cases. In many courts the conditions are degrading. Dissatisfaction with the conditions in New York has produced the advocacy of a special court to deal with all cases of domestic relations, suggested, by Bernhard Rabbino before the Society of Jewish Social Workers in 1905. The suggestion has been submitted to the New York Legislative Commission to inquire into Inferior Courts, supported in a modified form by both the United Hebrew Charities and the Educational Alliance. With the existence of such a court, the law of desertion could be modified to

meet its requirements, possibly without stamping the offender as a felon, and yet as effective as the law making the offense a felony. It is commonly agreed that in desertion cases as in other cases of domestic difficulties, the courts should be employed only as a last resort. A special court of this character would probably do its most effective work in reconciling the deserter to his family and insuring for the children what to them is most necessary,—the integrity and completeness of home life.

Probably the most satisfactory results met with in legal attempts to prevent desertion have been realized in the District of Columbia. There the cases have been handled exclusively by the Juvenile Court and as far as that Court has jurisdiction over cases of child abandonment, no questions have been raised. If it is conceded that the Juvenile Court has been established as much to protect children as to adjudicate their delinquencies, the trial of deserting fathers would logically come within its scope. William C. Baldwin, of Washington, who has been very active in this work, wrote me recently that 20 per cent. of all the cases tried there in the Juvenile Court were desertion cases, numbering 899; that of these 147 were discharged, 38 were reconciled, 106 imprisoned, 608 placed under bond to support the wife. As is seen, it is only in a small minority of the cases that the penalty of the law (making the offense a misdemeanor) was inflicted. In the vast majority the men were placed under suspended sentence for the support of the families. For the past 3½ years, provision in the law has been made for the payment of fifty cents per day to the family of the imprisoned men for each day's hard labor performed while under sentence, and as the law always requires that the imprisonment shall be at hard labor, this gives the family \$3.00 per week.

The excellent results obtained are due largely, he writes, to this particular provision because it warrants the Judge in sentencing a man in all cases, where he deserves it, without being influenced by the plea of a relentless wife who fears that if the man is imprisoned, all support will stop. Since the law was enacted, the total collections by the Court for men under suspended sentence amounted to over \$80,000; the amount earned by men under sentence by hard labor and paid over to the families was over \$3,600.

Mr. Baldwin's success having been so remarkable, his suggestions for checking the evil deserve serious consideration, and I therefore quote the following paragraph of his letter in its entirety:

"As to suggestions for checking the evil, the first requisite is an adequate law which will permit the Court to deal with the family as a whole. Any law which by referring only to the children excludes the wife from its operation is unscientific and cannot be satisfactory. The offense should not be felony because the object is not to punish the man or inflict an unnecessary stigma upon him, but to oblige him to properly support his wife and children. The provision for a moderate payment to the family while the man is in prison, if he requires punishment, is essential because it relieves the greatest difficulty in the administration of the law, which is the correlative punishment of the family in an effort to reach the offender. Having this machinery, the court is likely to take a greater interest in such cases because of the possibility of effective administration. It is discouraging to a magistrate, after having arrested a man who, as the evidence clearly shows should be punished, to have the wife plead that he be given another trial and all the work which has been done, nullified for the benefit of a man who is simply trying to escape the deserved punishment. It will help to check the evil if instead of encouraging the impression that a man cannot be extradited unless the offense is made a felony, to emphasize the fact that the deserter should be and can be, with proper effort, extradited and brought back to every State where the offense is a misdemeanor. Every such extradition helps all the States and there are many of them in which this statute exists. A united effort in this direction would have a great effect in discouraging desertion."

With a comprehensive law like that enacted in Washington, administered through the Juvenile Court, already tried and found successful, it would probably be wiser to advocate a similar system in the other cities of the country rather than to urge the creation of a Domestic Relations Court, which has not yet been tried and the establishment of which would entail increased municipal budgets. But be that as it may, it cannot be doubted in the light of the information secured, which shows that family desertion is

due chiefly to the self-indulgence of the deserter, that the hope for the reduction of the evil lies not with the charity organization, but with the State or Municipality. Whereas, the problem is not a Jewish one any more than a general one, all organizations affected should unite in an effort to secure some well defined plan of action, which should be uniformly applied through legislation in all the States of the Union.

FORMS FOR STUDY OF DESERTION.

(Similar forms to be followed in all respects by the non-Jewish charities of the same city.)

EXTENT OF DESERTION.

Total number of applicants for the year.
 Number of desertion cases for the year.
 Proportion of desertion cases to total number of cases.
 Total relief expenditures.
 Proportion of relief expenditures for desertion cases.
 Increase or decrease, and reason therefor.

CAUSES OF DESERTION.

<i>Subjective.</i>	<i>Objective.</i>
Immorality:	Search for work.
(a) of husband.	Insufficient wages.
(b) of wife.	Interference of relatives.
(c) of both.	Illness:
Bad habits in general.	(a) husband's.
Gambling.	(b) wife's.
Intemperance.	
Shiftlessness.	
Incompatibility of temper.	

SUBSIDIARY CAUSES.

(Each to be arranged in relation to each cause, in accordance with attached tabular form.)

Age of deserter.
 Occupation and earnings.
 Physical condition.

PRESIDENT HOLLANDER: The Conference is to be congratulated upon having heard so admirable a presentation of the subject and careful, critical analysis. It seems to me to present exactly the topic to take up and engage the attention of this Conference. It has been supplied, as I stated at the outset, to several members of the Conference, at whose hands it will receive now some critical discussion. Let me repeat this: That in the interest of collective economy, fifteen minutes will be permitted as the maximum to each person whose name appears on the program. Within a minute of the expiration of the maximum time I will tap the bell, and again at the conclusion of the fifteen minutes.

DISCUSSION.

By MAX SENIOR,

CINCINNATI, OHIO.

After the able paper that Mr. Waldman has given us, it is almost impossible to add anything.

New York experiences are unquestionably unique. No other city can offer such a wealth of material. A city which refuses to adopt federation, and which calmly rejects a million-dollar gift must necessarily be in a class by itself.

It must be pointed out that in villages like Cincinnati, with limited experience, where perhaps one or two cases will suffice to provide the basis for statistics for a certain year, statistics are of little value.

Let us bear in mind, while considering the extent of desertion among Jews, that not all Jewish cases or Gentile cases come to the various charitable organizations, and that probably in considering the morality of Jews it would be well to take into consideration the records of the divorce courts, as well as the records of the charitable organizations.

The little town which I represent has comparatively little to offer in connection with this discussion. The total number of desertion cases on our pension list is only four. In all these four cases there was normal delinquency on the part of the husband. There is an unique feature in our handling of the ordinary desertion cases: A woman, applying to our charitable organization

and stating that her husband has deserted, is informed that the charitable organization does not extend any help whatever to deserted women—that the woman must apply to the Ohio Humane Society for advice and relief. The Ohio Humane Society is an organization chartered under the State of Ohio to do work of this character, to bring the delinquent husband to task and provides the machinery by which they may be compelled to do their duty by their families. The object, of course, is this—we feel that there is a tendency on the part of Jews to rely upon the charitable organizations; that there is a great disinclination to go to law, and especially to a man who wears a blue uniform, which the officers of the Humane Society wear. On applying to the Humane Society, the first demand made is that the woman shall swear out a warrant for the arrest of her husband for desertion, which she is naturally very much disinclined to do. In the course of a short time, if the desertion is not a permanent desertion, this action brings news of the husband. In a large proportion of the cases we have had, the woman does during the course of a month become aware of the whereabouts of her husband, and we have found that this method brings the information quicker than we would be able to get it ourselves.

I will say that support is given the deserted family, by us, through the Humane Society, but the family is not aware of the fact that we pay the bill.

I find that in the limited number of cases that we have had—in 1908 I think there were 18 or 20—the husbands returned or were reunited with the family in some other city in all except 2 cases within 60 days. So that in a large proportion of the cases the desertion was not due to delinquency. In almost all cases the family had been known to be receiving charitable assistance before the desertion took place. It would seem to me, therefore, that the majority of Jewish desertions are due to insufficient earnings. It is rather hard, and in some cases impossible for the husband to support the family; he moves on to other points to improve his condition, and this is confirmed by the fact that in many cases the desertion is coincident with the birth of a child, which imposes new burdens on the family.

One other thing in connection with this subject occurs to me, that it would be exceedingly necessary to arrive at a definite definition of what you would call desertion. The Cincinnati organization's definition of desertion is that the man leaves the city and leaves his wife without means for a period of time, no matter how short, even though the woman may be at all times cognizant of the whereabouts of her husband. It seems to me that if you are going to make a statistical study it is necessary first to establish this definition as a basis of your work, and as long as it is not established, it seems to me that the statistics of Baltimore, New York, San Francisco and other places would be valueless.

DISCUSSION—(Continued).

By BENJAMIN TUSKA, Esq.,

NEW YORK, N. Y.

A consideration of Mr. Waldman's masterly treatise has led me to write down a few of the thoughts it has suggested, and, with your permission, I shall read them to you.

The primary reason for considering the problem of desertion at a conference of philanthropic workers is not because of the religious, social or moral questions involved, but that of dependency.

Were it not for the demands either upon public or private charity or upon the bounty of relatives and friends that desertion cases entail, there would be none but ethical or philosophical aspects to the problem. Desertion—it is necessary to recall an obvious fact—is not limited to the poor. In one form or another it pervades all classes of society. It is, however, among the proletariat that, when desertion takes place, a case arises for charitable relief.

In other words, it is not that we are considering desertion, but desertion coupled with non-support. Not because of desertion, but on account of the element of non-support, charity must intervene and society must be protected by law.

If we will fasten clearly in our minds this distinction, we shall be able to approach the problem whenever it arises in a more honest, open and human way.

Open because our view will not be warped by prejudice or passion that arise from the indignation we necessarily feel because

of the deserted wife and child, and human because it will be affected by some of the considerations that at times drive even the poor to separate as well as the rich.

In his admirable paper, Mr. Waldman made an exhaustive classification of the causes of desertion, as gathered from numerous cases coming under his observation. These I should, however, summarize as follows:

Economic conditions, health, incompatibility, misunderstandings, dissipation, immorality, adventurousness, early foreign marriages, immigration of the husband ahead of his family.

After all, the causes are not the things with which we are concerned so much as the results. The cause can only move our pity, call forth our resentment or have an effect upon our bounty.

You will readily see the universality of social law. Those mentioned are causes of separation among the favored classes as well as among our humbler fellow-beings. When it comes to natural law, there seems to be the same for the rich as for the poor. You create absolutely no essential distinction by calling it separation in one case and desertion in the other. Where the prosperous man has decided to leave his wife, if he does not arrange with her, her lawyers arrange with him. He has the wherewithal to make the arrangements, and her lawyers have an object in fighting. When desertion takes place among the poor, there being usually nothing for the family to live upon but the current joint earnings, the wife cannot afford to engage the compelling power of private law, but is obliged to appeal to the commissioners of charity or the overseers of the poor, and these officials, to protect the purse of the town or county, undertake, if the deserter is within their jurisdiction, to have him bound over to pay a small weekly amount toward the support of wife and children.

Out of this practice there has, in most places, been developed, by legislation, of course, a procedure in police courts, before justices of the peace and committing magistrates, of holding the deserter in default of a bond to contribute toward the support of the family. Just to what lengths magistrates will go in order to enforce the law depends to some extent upon the temperament of the official and his viewpoint, but to a greater degree upon the complainant.

In most instances the latter is the wife. Commitment of the husband is about the worst thing that could happen to her, and she knows it. The position is, of course, different if the wife and children become public charges. There the complainant, as well as the informant, is the community. The communal and legal standpoint is the one dictated by self-interest. We must save the community the expense. So long as the city does not have to pay, the courts will not be more eager than the wife to hold the deserter.

Now this is a condition of public mind for which private charity, organized or otherwise, seems to be responsible, for, on account of the activity of charity, private or organized, in giving relief to deserted families, courts are not anxious to inflict punishment, except in those cases where the prosecution has been initiated by public officers. With the growth in our cities of huge philanthropic societies, the result of this tacit policy has been to transfer to the charities more and more of the public burdens, so that eventually these, in turn, have found themselves confronted with this great and growing problem of desertion, coupled with non-support—in other words, of abandonment. The causes that ordinarily bring about desertion in a homogeneous community act in a more aggravated way in the large cities that for years have been receiving enormous foreign immigration. The problem grows, the demands for relief increase in geometrical proportions, while the funds of charity only in arithmetical ratio. What was personal in the almsgiving of a generation ago becomes a tax, and we all know that tax-dodging is not confined to the imports, excises and taxes that are levied by governmental authority.

So scientific charity, to which Mr. Waldman has alluded, but which has almost become a screen behind which to shelter scientific selfishness, steps in to contrive a remedy. The same impulse that has led to the protection of the town from those thrust upon it seizes organized charity, and we have laws, promoted by private charities, making abandonment a crime.

It is a peculiar thing in New York City, but perhaps it is true of the country generally, viz, that what I shall have to call the Missouri doctrine is applied to every bit of new legislation; that the public, including those charged with the enforcement of laws

do not, or pretend not to, believe that a legislative enactment is really a law until the courts actually prove it to them. Therefore, you will not be surprised that when, after the passage of the New York law of 1905 against abandonment, the Educational Alliance, through its Legal Aid Bureau, undertook to bring flagrant cases of desertion, coupled with destitution, before the District Attorney for indictment and extradition, that official was slow to act, being impressed with the idea that the funds at hand for extradition would better be used for offenses of a more public character than abandonment, and perhaps that the statutory declaration of the criminal character of abandonment was sufficient to operate as a self-executing reformation of society in that particular.

The history of the work among our people in New York will be of some interest to this gathering.

In 1899 the Educational Alliance undertook, in an experimental way, the conduct of a legal aid dispensary. About twenty lawyers divided up Sundays for several months. There was found to be a real need. We kept telling the public from time to time of this need until at last there was a response. A broad-minded philanthropist from Pittsburg, Henry Phipps, came forward with the sum of \$2,500 for this work. The Bureau was organized in 1902. Of course, it has grown. At times the staff has consisted of three—now only two—paid lawyers, three or four stenographers, a clerk—who is also an investigator—an office boy and a process server. Mr. Phipps has annually made to us the donation with which we were enabled to begin the work, not to mention his other benefactions for our general purposes.

From the start we found that marital cases constituted a fair proportion of the business. Our policy was conciliation where the issue was domestic difference, and where it was non-support application to a magistrate when moral suasion and threats proved powerless. We also had abandonment cases, but for lack of funds could do very little beyond corresponding with other agencies where the deserter had left the city. It was then that we promoted legislation against abandonment. During this time the United Hebrew Charities had a great many cases of destitution due to abandonment. It was extending relief to deserted families, making in-

vestigations, and in many instances providing the transportation for the wife to reach the deserting spouse. To avoid duplication an agreement was reached whereby for one year we were to take over all of its desertion work, creating a special bureau for that purpose, the Charities contributing toward its support and providing transportation wherever needed. This arrangement worked well for that year, after which its own necessities led to the withdrawal of the monetary support of the Charities, though, in justice to that body, it must be said, it did not deprive the Alliance of the work. From that time on the Educational Alliance has been charged with the legal end of the abandonment cases. In March of this year the relationship of the two societies was defined in the following protocol:

First, the applicant who claims to have been abandoned and is in need of immediate assistance is to be referred to the United Hebrew Charities.

Second, cases where the applicant is not in need of relief are to be taken up by the Educational Alliance as usual.

Third, cases taken up by the Educational Alliance that turn out to need relief are to be referred to the United Hebrew Charities with full report of the investigations of the Educational Alliance.

Fourth, all legal work in connection with abandonment cases whether in the hands of the United Hebrew Charities or the Educational Alliance is to be performed either by the Educational Alliance or in its name.

About a year ago we consolidated and reorganized the Legal Aid and Desertion Bureaus, and they are now under the able management of Mr. Sobel, who is to read you a paper upon legal aid work.

The methods that have been found by our Legal Aid Bureau to work well in practice consist in taking the statement of the deserted woman and her friends, investigating the facts, tracing the husband in town and if out of town communicating with Jewish relief organizations, if any, in the place where the husband is supposed to be, and if there be no such charitable society then getting in touch with the local congregation or the local lodge, if there be any. If no trace of the deserter is found, an account, together with a photograph of the missing man, is published in

the Yiddish press, who have placed their columns at our disposition gratis. If the husband is found in or near the city of New York efforts are made to bring him to a sense of duty through personal appeal. Not infrequently that results in some arrangement satisfactory to the wife. Failing that, there are Magistrates' Courts, and in serious cases the District-Attorney's office. Sometimes indictments are procured against runaways. Sometimes the authorities at the place where the deserter is found are asked to act. In the latter event, there is the expense of sending out the wife; in the former, of sending out an officer in connection with extradition. Where the wife has been sent out to prosecute on the spot, the expenses have had to be met by the Charities; where an officer has been sent out to bring back the indicted deserter, we have, as within the last few days in a case located in Detroit, provided the fare without the State. Since the present year a more liberal view of expenditures has been taken by the District-Attorney, but there is still a difference in degree of liberality between the prosecuting officers of Brooklyn and New York. The particular method to be adopted, that is, whether the wife should be sent to meet her husband or the husband brought back to face his wife, depends entirely upon all the circumstances in each specific case.

For the obvious reason that relief of the family rather than punishment of the offender is desired, resort to drastic measures is not had by the Educational Alliance, except in extreme cases.

That you may have an idea of what is doing by way of prosecution, let me refer to a report made to me in the month of March of this year.

S vs. S, husband extradited from Detroit, and failing to file a bond satisfactory to the Legal Aid Bureau was sentenced to not less than one year and not more than two years and in addition to pay a fine of \$1,000.

In re Z, precisely the same disposition was made as in *S vs. S*.

In re F, in the U. S. Army in Virginia, after assigning \$10 of his monthly pay, sentence was suspended to enable him to serve out his enlistment and obtain an honorable discharge.

In *re N*, the wife was sent to Albany, where it was found that the husband had another wife. Upon his plea of guilty he was sentenced to three years.

These cases have been widely advertised in the Yiddish press for their deterrent effect.

Our greatest trouble consists in the effort to avoid becoming a divorce bureau. Many a deserted wife does not so much want support as she craves freedom so as to marry again. The importunities to render assistance in such cases are great, but we must leave the clients to seek other counsel. It sometimes happens that a deserter, through his representatives, will offer adequate provision for support if only the wife will sue for divorce. These are very delicate questions, and, while the Bureau does not shirk its duty, it does not desire the business.

We are constantly in receipt of letters from husbands and their friends, stating their side of the case and asking assistance. Recently a man came on from Iowa to explain his brother's side.

Such is the position that the Bureau has made for itself that it is frequently consulted by the District-Attorney and Judges of the General Sessions, as well as by philanthropic workers throughout the country.

The question of abandonment is complicated so far as the orthodox Jewish immigrant is concerned by two propositions. (1) The validity of his marriage from a civil viewpoint in the land of his origin; (2) his right to rely upon the "get" or ritual or religious divorce. In several of the countries of Continental Europe for marriage to be valid it is not enough that it be solemnized by a minister, there must be the civil ceremony. Hence, as in *Matter of Hall*, 61 App. Div. 266, parties have found themselves on arriving in America not legally married, except in those States where the courts have approved unregulated common-law marriage. Therefore, when a party to such a marriage decamps there is apt not to be abandonment in the criminal sense, nor in the view of the Poor Law. It has likewise been held that the "get" or ritual divorce, if valid in the foreign jurisdiction, will be given effect in the courts of New York. (*Leshinsky vs. Leshinsky*, 5 Misc. 495.)

Now the immigrant from Russia or Southeastern Europe finds himself occasionally in this dilemma. A foreign rabbinical divorce may be respected just as is a foreign religious marriage. In his own country the rabbi is officially recognized as the legal head of the local Jewish congregation, and as such may dispense justice in his community, solemnize marriages, grant divorces and perform other acts which will be valid; and this immigrant, brought up under such institutions, regarding the acts of his rabbi as not merely religious, but legal, brings these ideas and institutions with him to America, which he understands is the land of religious liberty, and undertakes to practise them here sometimes with disastrous results, by reason of the failure to appreciate that religious liberty has, under our law, a well-defined meaning, and that wherever it invades the rights of the community or runs counter to public policy the individual must yield.

There was a practice, not very extensive, but sufficient to be called to the attention of the Legal Aid Bureau of the Alliance, of granting these religious divorces. That has been stopped in New York through a law which the Alliance was instrumental in having enacted, making it a misdemeanor for any person to assume to issue a bill of divorce before the parties had obtained a divorce in the civil courts.

What with organized charity doing for the community—and much remains to be done, but if systematized relief did all that the claims upon it demand, require and are entitled to—misery, while alleviated, would not be extinguished. There will always be enough for gentle souls to do; there will always be place for personal and private charity, growing out of love for one's fellow-man, as distinguished from the relief afforded by organized society and societies from a sense of duty and of self-preservation. It is true that private charity may go by favor, but that is its privilege. The funds of communal institutions, however, must be applied along lines planned with respect to the amount that can be obtained and the amelioration of destitution, together with treatment of its cause.

With some of Mr. Waldman's conclusions I find myself in accord; to others I must dissent. His suggested general classification is valuable. Desertion is caused by outside conditions such

as economic pressure and by personal weakness, of which there are many examples. That there is very much value in a statistical study of the various specific causes, I cannot admit. That the money of charitable societies should be so employed, I protest. Your desertion census is not going to bring about the millenium nor even alleviate the trouble. Desertion is one of those evils of human nature, ineradicable so long as present social and economic conditions prevail. The vast number of desertions seem in one way or another traceable to economic stress, whether that be the proximate cause of the desertion or the remote cause through an improvident or an affectionless marriage.

It is the lesser number that are distinctly attributable to human weakness and a still less number directly to downright viciousness. Where you have the latter, the community does not suffer by prosecution of the offender and charity does not have its burden increased by putting him away. Where, on the other hand, the causes are largely economic, the imprisonment of the offender on account of the dishonor entailed tends to harden him and thereby to place the family in a position of danger. There is the wide middle ground where reliance must be had upon the discretion and sound judgment of wise magistrates and sympathetic prosecutors.

Here is where, like the Children's Court, a Court of Domestic Relations would serve a useful function—not a court where a single magistrate or two would preside from one year's end to the next, but one wherein all committing magistrates would rotate, bringing to their task the larger viewpoint that ripe judgment obtains from being in touch officially with all phases of magisterial work. Such a court, with its rotating features, the Educational Alliance advocated before the Small Courts Commission, and has by that body been recently recommended to the Legislature of the State of New York.* Should such a division of our Magistrates' Court be created with the District of Columbia provision of hard labor for the offender supplying some modicum of support to the family, and the Kansas method of parole, the experience therein obtained will doubtless in time lead to the devising of valuable experimental, remedial legislation.

* Since this paper was read these suggestions have been embodied in the Laws of New York, Ch. 659, Laws of 1910.

DISCUSSION—(Continued).

By A. S. NEWMAN,
Superintendent Hebrew Relief Association,
CLEVELAND, O.

A short time ago I called at the home of a man whose wife had just arrived from Europe. The man had been here for some time, and spoke English quite well. The woman, shortly after her arrival, had heard the word loafer frequently used in the neighborhood where she lived, and, while I was there, said to her husband in German: "Will you please tell me what a loafer is?" The man looked puzzled for a moment, and then replied: "A loafer—why a loafer is a human being, just like other human beings, only he is a loafer."

This applies as well to deserters. A deserter is a human being, just like other human beings, only he is a deserter. Not much more than this at any rate is generally known about deserters, until a splendidly thorough, analytical study of the subject, such as we just had presented to us by Mr. Waldman, is at our disposal.

I am sure that Mr. Waldman's paper will be carefully perused with interest by every practical charity worker receiving a copy of the proceedings of this Conference.

Like all good papers, Mr. Waldman's statement of the situation is self-explanatory, and requires no extended comment on my part.

Mr. Waldman has given us practically everything that a study of the subject can reveal. He has diagnosed the desertion problem, has given us all the data and phenomena pertaining to the evil, and in probing to the bottom of the situation, has analyzed the causes of desertion in the order of their importance, and has told us in a very complete way why men leave and why they return.

I was particularly interested in Mr. Waldman's findings and statistics concerning the causes of desertion, because, in fighting most evils, if we can find out their cause we frequently can by attacking the cause eliminate the evil. Strangely enough, this does not necessarily follow in an attempt to solve the problem of desertion.

Mr. Waldman has found that self-indulgence, licentiousness, selfishness and a lack of a sense of duty, rather than poverty, un-

employment and misfortune, are the principal causes of desertion, and, moreover, cause the more chronic and prolonged types of desertion cases.

A knowledge of the fact that the deserter is not so much an unfortunate man as he is a bad man should the more readily cause us to agree with Mr. Waldman, when he says that the best weapon at our disposal against the deserter is the "strong arm of the law." Unfortunately, however, a knowledge of the causes in this particular evil of desertion does not greatly assist in preventing desertion. We cannot, it appears, solve the problem by attacking the principal causes, for it is not reasonable to expect that we can with any satisfactory degree of speed eliminate selfishness, licentiousness, self-indulgence and a lack of a sense of duty.

Since, therefore, we cannot remove the cause and, therefore, cannot entirely eliminate desertion, let us at least see what fighting measures are at hand with which to diminish the evil.

I know from Mr. Waldman's paper and from my own experience that the most persistent suggestion made is that we endeavor to have desertion made a felony in all of the States. The paper further suggests as a possibly preferable substitute that we work to the end of making a misdemeanor an extraditable offense.

In my opinion it matters little at this particular time whether the one or the other change or addition in the law be made. It is, to be sure, desirable that we have uniform laws, well adapted to the handling of desertion cases, but a lack of proper laws is not at this time the chief difficulty in the situation. Proper laws could doubtless be secured with comparative ease, and even the law as it is could be fairly well adapted to the handling of cases, if only the problem were more within our control, which it is not.

I have myself referred to the "strong arm of the law" as being the best weapon at hand, but I have noticed that this same "strong arm of the law," through enforced idleness, lacks proper exercise to keep it healthy. If it had the needed exercise, the laws would adjust themselves to the situation without much difficulty.

What degree of good, after all, can we derive at the present time from laws no matter how excellent or how stringent they may be, or how well adapted to the purpose, if we cannot get hold of de-

serters to prosecute, and the practical charity workers in the audience will readily admit that the deserter is, for the most part, far removed from the scene of action when he is wanted in court.

I was recently informed by the non-Jewish charities of our city that they doubt whether they succeed in bringing 2 per cent. of their deserters into court, and the experience of our Jewish charities during 1909 has been that out of 52 desertions only 4 of the men, or about 7½ per cent., were found and brought into court.

One particularly objectionable thing about wife-deserters is that when they depart they do not leave their addresses at either police headquarters or at the charity office. This at least is how we find it in Cleveland, and I presume that deserters are very much alike the world over in this particular.

I wish to point out, therefore, that whereas the enactment of proper laws and earnest and able prosecution of deserters is not only desirable, but necessary, we ought to give paramount attention to ways and means of apprehending absconding husbands and fathers.

At the present time we capture a deserter only very occasionally, and principally when he himself grows careless of his safety. We rarely find a deserter who is really anxious to avoid us. If the wife does not happen to hear from friends or relatives in other cities that her husband may be found there, we have practically no avenue of search for him, and even through this medium the results are very unsatisfactory.

One thing is certain, that we cannot even in the smallest degree depend upon the police, even where desertion is a felony, to find deserters. I am not sufficiently acquainted with police duties and police routine to know whether more could be reasonably expected of the police in these cases. I do know, however, that in Cleveland, when a woman has taken out a warrant for her husband's arrest it has frequently happened that the police came to look for him at our charity office and at the woman's home. I have reason to believe that this was the entire extent of their search.

It is, therefore, very evident that the law and the police of their own initiative accomplish very little in these cases, and, as the wives rarely get a clew to the whereabouts of the real deserter, some

further plan must be suggested, if we are to make any satisfactory headway in diminishing desertions.

I therefore desire in part to suggest, and in part to inquire, whether there is any reason why it would not be good to give a much greater amount of publicity to desertions than we have heretofore been giving.

I do not know just how many Yiddish papers there are in the country, or the exact extent of their circulation, but I do know that they reach the working classes very extensively. I understand that New York City has 4 Yiddish daily papers, that Chicago has 2, San Francisco has 1, Montreal has 1, that St. Louis has or had 1, that Atlanta, Ga., has 1, and we have a Jewish daily paper in Cleveland. There doubtless are more of these papers than I have enumerated. One Yiddish daily in New York, I understand, already conducts, on a small scale, what is known by them as their "Gallery of Deserting Men." They reproduce the photograph of the deserter and print some description of the matter.

I am inclined to think that an elaboration of this plan would prove to be a practical weapon in the fight against desertion.

If we were to make arrangements with the various Yiddish papers, have a few cuts for printing purposes of our chronic deserters made, and have these as widely published as can be reasonably done, we would thereby not only succeed in finding out the whereabouts of various deserters, but, I particularly wish to emphasize, that through this publicity, we would create an atmosphere of danger to the deserter, which does not at present exist, and which would, I believe, be the greatest deterrent to desertion which we can employ.

The editor of our Cleveland paper thinks the plan is practical, and gives it as his opinion that the papers in other cities would also doubtless cheerfully take up the matter.

Although it is the opinion of the same gentleman that the various papers would make only a very limited charge for this work, it is evident that an extensive publicity campaign would involve a certain amount of expense to each organization, the amount varying with the number of desertions advertised.

It should here be noted that the deserter who absents himself from home for a long period, for the most part, resides in the large cities.

I understand that one Jewish daily in New York has a circulation of over 100,000, and I know that it reaches quite a number of working men in cities other than New York. One New York deserter was captured in Cleveland only last week through the reproduction of his photograph in one of the papers, and I was particularly impressed recently with the desirability of carrying out this publicity plan, when the reproduction of the photograph of one of our Cleveland deserters in a New York daily resulted in the man's arrest in the city of Pittsburg, through the report of a fellow-workman, who had recognized him by means of the description in the paper.

At the present time, without this weapon of publicity held over the deserter's head, he wanders about at his own pleasure, with practically no risk of arrest, and even if through some accident, he be apprehended and convicted, he frequently, at the expiration of his time, departs for even a longer period than before, because he will not live with a wife who has caused him the pain and humiliation of imprisonment.

If, however, he were aware that he will be described in the papers, and incur great risk of recapture and reimprisonment, he may be more likely to accept the ills that he has "than fly to others," of which he has had previous sad experience.

If, for instance, a New York deserter, who has taken up his residence in Cleveland, should some morning find his photograph reproduced in the Cleveland Jewish daily paper, and should, at the same time realize, that if he went from Cleveland to Chicago, that the papers there might also be similarly advertising him, he might, to say the least, feel somewhat embarrassed over the situation, and would probably seriously consider a return to his family, rather than run the risk of being brought back by a deputy sheriff to face trial.

It should in this connection be mentioned that after a period of careful observation, we have found in our Cleveland experience that fully seventy-five per cent. of the wives are able to furnish photo-

graphs of the men. In some instances they are secured from friends and relatives of the man, and in other cases it is necessary to go to the photographer who made the photograph.

A further possibility would be the printing of circulars, which can be cheaply secured in quantities and distributed at such points as settlement houses, labor union headquarters, depending upon the man's trade, and in such factories as employ men of the trade followed by the deserter.

As I have stated before, the important thing is to create an atmosphere of danger.

Before dismissing the subject, I desire to say that I do not claim for this plan that it is more than one of the fighting measures which it may be possible to employ. There may, even be reasons known to some of the workers here assembled why the plan is not feasible, but I think it worth while bringing before this assemblage for consideration and discussion.

I speak of the matter as much in the way of inquiry as in the way of suggestion.

I have noted with great interest Mr. Waldman's advocacy of the handling of desertion exclusively through the Juvenile Court, in order that the family may be dealt with as a unit. Mr. Waldman's thorough summing up of this phase of the question is very convincing, and I am perhaps particularly in sympathy with his remarks, because we are working in that direction in Cleveland.

I must, however, say a word concerning Mr. William C. Baldwin's communication to Mr. Waldman, to the effect that 899 desertion cases were tried in the Juvenile Court of the District of Columbia. I own that I was at first somewhat surprised at Mr. Baldwin's figures, in view of my theory that deserters are hard to find, until I took the matter up with our Juvenile Court in Cleveland, where I received information, from which I infer, that these 899 cases probably, for the most part, consisted not of instances where men had gone to other cities and were brought back, but consisted rather of local abandonment cases, in which the men had not left the District of Columbia, but had failed to support their families there by reason of drink, or shiftlessness, or vice. Our Juvenile Court

in Cleveland deals with many cases of this type, but the real deserter is not often brought into court, because he cannot be found.

I have repeatedly emphasized in this discussion the difficulty of bringing deserters to justice, but lest anyone arrive at the mistaken inference that many solutions are not reached in our desertion cases, even though it is difficult to reach deserters through the law, I wish to point out, and this also in corroboration of Mr. Waldman's findings in regard to the duration of desertion cases, that of 52 desertion cases, with which our Jewish charities of Cleveland dealt in 1909, only 18 were on the relief list on January 1, 1910.

Mr. Waldman, speaking of the Cincinnati method of not entertaining desertion cases as strictly charity propositions, points out that the method is justly and with good result applicable only to the type of case in which the deserter takes a real interest in his family, and he further points out that this type of case is, in any event, likely to be only temporary. This last fact appears to be the most hopeful element in the situation. Since then these temporary cases are not the most serious difficulty to be met, and since we can or do employ some or all of the principals of the Cincinnati method in combating with some degree of success this temporary type of case, it remains that we work out a plan to minimize the more serious and prolonged type of desertion, in which the man cares nothing for his family. I have ventured to suggest one plan, namely, that of publicity. I trust that further plans will be suggested by others.

In conclusion, I wish to join Mr. Waldman in his advocacy of our working in the direction of uniform extradition statutes, and of handling desertions through the Juvenile Court.

PRESIDENT HOLLANDER: With this the formal discussion of the paper is complete, and the subject is now before the Conference for informal discussion, for a necessarily limited time. Those who receive the floor will retain it for a maximum of five minutes.

MRS. C. A. STIX, St. Louis: Those of you who know me must realize how, after listening for days to the able papers read at this

Conference, I welcome an open discussion, which gives me a chance to talk! The subject how to avoid wife desertion is most important, and each State has a different remedy; thus we hear many conflicting reports. Last night Mr. Mack thoroughly convinced us that in order to stop anti-immigration laws we should feel morally responsible to our government to keep all Jewish poor off of our streets, to take such care of our Jewish women and children that they need not become a burden to the State. If we fail to do this laws will be made so stringent and the barrier will be such as to close our door to all of persecuted Russia. In the report from New York 1,050 men deserted last year; in Cincinnati none, owing to their method of refusing assistance to any family where the husband has deserted. This does not seem just. Perhaps there are fewer cases needing assistance in Cincinnati compared to other cities; for example, how could New York refuse aid to a thousand helpless women, who, in taking care of their babies, fulfill their mission. Is it kind to call these women beggars? When Mr. Senior was asked what the Jewish charities do for the women really needing assistance he replied: "We send them to the Ohio Humane Society, where they are loath to beg; then a policeman in uniform meets them, so that many half-frightened turn back." These poor dejected souls who suffered such bad treatment in Russia look for more kindness than this. It is quite true you reduce the number who ask for assistance, but is that a proof they are not in want? I once attended a meeting of a day nursery, where a report was read saying: We feed our children on fewer rations and use less money than any institution of this kind." I answered: "That's no proof that the children are not hungry." We have had 1,800 years of charity giving, let the poor now have justice. The rich woman has redress, if her husband deserts; a lawyer saves her all humiliation and the court settles the amount of alimony. You should not close your charity doors to the family of a deserter, but get together and have such laws passed in every State to find and punish the deserter. Continue to aid helpless women left to care for their infants and use all of your energy, money and efforts to make the deserter pay the penalty.

DR. BORIS D. BOGEN, Cincinnati: The fact that we have no desertion or deserted women is not because we ignore them or mistreat them. On the contrary, in many instances we prevent desertion by proper treatment and by assisting poor families. The children of deserted mothers suffer no physical want, they are sent to school just as well as any other children. Our organization, however, has no direct dealings with the cases of desertion. If you imagine that by giving five or ten cents you have solved the problem you are mistaken. This spasmodic method does not count in the long run.

The deserters are human beings and the psychological reasons and causes underlying desertion must be studied if we are ever to be in position to treat them right. Many a time in our office a man threatens to desert his family: "If you do not do as I want I will desert you," he says. Sometimes he keeps his promise, but our method does not encourage desertion. We are anxious to help the children and do not want to mistreat the unfortunate women, but we do not want, through our kindness, to produce additional misery.

It is a mistake, in my opinion, for a charity worker to assume the role of a prosecuting officer. If deserters are to be prosecuted it ought to be done by another agency. We do not handle desertion cases directly, but refer them to the Ohio Humane Society (which is a police agency).

MRS. HENRY SOLOMON, Chicago: I differ from Mrs. Stix on one point. I should not consider women beggars; I believe they earn all they get, especially those of the class Mr. Waldman described this morning when he gave his reasons for wife-desertion, since upon them devolves the burden of carrying the financial question, being the housekeeper, laundress and general burden-bearer for the entire question. We have been given the Cincinnati method, which I fear would be of little value in larger communities, where large problems in every line must be met and solved. One difficult point in legislation must not be overlooked—the securing of means for transportation after a deserter is located. Often, when one is found and returned, upon his promise to return home and care for his family, the wife will refuse to testify

against him and all the effort for his return is wasted since a few weeks will find him again an offender. I am inclined to believe that uniform laws and stringent ones should be adopted and enforced until a new attitude toward desertion is created, and when a lesson has been taught we might modify them.

MR. S. B. KAUFMAN, Indianapolis: I heartily agree with the suggestions made by Mr. Newman. At the Indiana State Conference of Charities I read a paper on the same subject, and gave three suggestions:

First, uniform laws on desertion; second, the establishment of desertion bureaus in all communities; third, that there should be a central bureau, where an official organ on this subject should be published, containing a description of each deserter, his personal appearance and occupation, and that this paper be sent to each bureau, from which point a search should be made for the deserter by the local officer, with the co-operation of the people.

I suggest that the National Conference of Jewish Charities should publish a paper under its auspices, where the pictures and descriptions of all deserters could be published. The paper can also be a medium to promote the interest and the uplifting of Jewish philanthropy.

About a year ago a deserter was discovered in Indianapolis through the *Jewish Forwards*. Another was discovered at Montreal, Canada. We believe if an organ would be published, in which we could give publicity and have descriptions of all deserters, and also have the co-operation from all the communities in the country, seventy-five per cent. of the deserters would be apprehended.

MR. CYRUS L. SULZBERGER, New York: It seems to me that there is one point in connection with this matter that was touched upon by Mr. Waldman, but perhaps not sufficiently emphasized, and that appears to have been overlooked by those who discussed the paper, and that is as to the origin of Jewish desertion cases and the way in which they differ from desertions ordinarily, like everything else connected with our problem.

A few years ago I visited Russia and Roumania for the purpose of seeing the conditions as they were. I found that in Roumania there was practically no wife desertion. Now why is it these people who do not desert in their own country do desert when they get here? How do they come here? What happens in that two or three years that they are here in advance of their families? The man gets into a factory in the city, works side by side with Americanized people, and after he has accumulated sufficient funds sends for his family, and when his wife arrives he is shocked to find that whereas he has become an American and has associated with Americans his wife is a far different being.

The fact is the man doesn't realize the difference until his wife arrives and shows him the contrast of the conditions under which he has been working and the squalid environments the woman has just come from. After a separation of three years, he in the new environment and his wife in the old, she is subjected to a trial that she would not have had if they had been allowed, as they have the right, to live out their lives in a land of civilization, instead of a land of oppression.

MISS MIRIAM KALISKY, Chicago: I think we are making progress in all our charitable efforts, but in one respect we are forging ahead in Illinois, and that is in our laws. For instance, we had a case of desertion, and over two weeks ago we brought the man back to Chicago, Ill. I think it was late on Tuesday evening when he was brought back. The next morning he was prosecuted. His wife refused to prosecute. Nevertheless, the judge pronounced a sentence of six months. Later the man was set free on his own bond, but he has to report to the court at certain times, until the expiration of the six months, and if he fails to report or deserts his family again the sentence of the court will at once become effective. I believe that is the only remedy for desertion. It is true, when the man comes to this country his wife is ignorant, they live in some dark Russian settlement, she has a house full of children and their home is small. I think by lending ourselves

to her, teaching her how to take care of her home, we will be showing her the only way to keep the man at home.

MR. G. A. BERLINSKY, Louisville: In all the discussion this morning, following the paper on desertion, and in the report itself, everything has applied to the cases of desertion after the man has left his family. The keynote as to preventing desertion has not been sounded. Dr. Bogen speaks of Cincinnati: Cincinnati claims it has few cases of desertion and its workers think they know why they have so few—giving as the reason the fact that instead of their desertion cases being handled directly by the charity organization they are handled under their direction through the Humane Society, with its uniformed officers. My opinion is that Cincinnati has so few cases of desertion for other reasons—Cincinnati has more than ordinary charity work. Their charities, social settlement and correlated activities, work hand in hand, and through this service they know their people; not only those receiving charity but those above the poverty line, on the verge of charity; they know their weaknesses, and through efficient social service prevent desertion.

Mr. Waldman's report does not show in how many desertion cases the families had the help and guidance of friendly visitors, contact with social settlements or the services of visiting nurses. Surely prevention is a more important factor in the question of desertion than work after the man is gone, and the family is left on the hands of the charities.

We learn from the report that in many cases desertion is due to incompatibility. Here is a field for social endeavor; to bring about a better understanding between the husband who preceded his wife in the emigration to America, and who quickly acquires different ways and standards, and the newly arrived wife.

We are told also that immorality plays an important part in the problem. I believe that when our social service reaches a higher state of efficiency and the standard of living is raised the number of desertions will diminish. Our organization (in Louisville) is paying more attention to prevention of desertion than to plans for the punishment of deserters upon their return.

MR. JACOB BILLIKOPF, Kansas City: The subject of wife abandonment, so ably and comprehensively discussed by Mr. Waldman in his excellent paper, presents so many difficulties that it is impossible to suggest any one remedy which will solve this great problem. The recommendations made by the previous speakers possess a good deal of merit and deserve careful consideration.

In the few minutes allowed me I wish to present briefly a scheme, operative in our city, which is attracting considerable attention. It possesses certain features calculated to check, in a measure, at least, the evil of wife desertion.

A little over a year ago there was created in our city, under a special ordinance introduced in the Council, a Board of Pardons and Paroles, whose function it is to supervise the local penal institutions and to deal with such offenders as have been committed to the workhouse for the violation of some municipal ordinance. At the weekly meetings of the Board the secretary, who attends every session of the Municipal Court, presents the cases of such individuals as in his judgment are deserving of parole. When released on probation the man is furnished with a written statement of the terms and the conditions of his parole, and is impressed with the fact that upon violation of any of his promises he will be sent back to the workhouse for a period of three times the unexpired term. The same applies to women. Two things are insisted upon at all times—honest employment and a respectable living place. In his weekly report to the secretary he is obliged to give his place of employment, place of residence, wages and expenses in detail.

Now, then, from January 1, 1909, *i. e.*, since the establishment of the Board, until January 1, 1910, a period of twelve months, 885 persons were paroled. The records show that 78, or only 9%, subsequently committed further infractions of the law, and that at least 70% reported quite regularly and conducted themselves satisfactorily.

Being a member of this Board, I have had abundant opportunity to observe its operation, and I can say that in one feature of its work the Board has been particularly successful, and that is in

forcing delinquent husbands and delinquent fathers to deposit with the secretary a portion of their earnings, to be applied to the maintenance of their families. Within a period of six months over \$3,000.00 has passed through the hands of the secretary, to be expended in behalf of wives and children, and this money comes from men who, were it not for the existence of the Board, would today be inmates of the workhouse and their families dependent upon the charities for support.

In this connection I take the liberty to cite a concrete case, a description of which will give you some idea of the methods we pursue in the solution of cases involving the problem of family neglect.

CASE OF H. L.

Police Court, No. 18231.

H. L.—Tailor by trade. Fined \$500.00. September 23, 1909; married; has 4 children, ages 10, 8, 6 and 4 years, respectively; lives on Missouri Avenue.

Police Court Testimony.

This man was prosecuted for wife abandonment and non-support. On four or five different occasions he deserted his family, leaving them in the most destitute circumstances and at the mercy of the charities. Each time he was warned that if he repeated the offense he would be prosecuted vigorously, but such threats had little effect upon him. Without any provocation and whenever the spirit moved him, which was quite frequently, he would go away from the city and would return as unceremoniously within three or four months after his departure. It was found out later that the man had an affinity in Chicago, and whenever he would save up a few dollars he would join her. On the particular morning on which he was brought into court his wife could not appear against him, as she was in a rather precarious condition. The only defense the man had to make in his own behalf was that his wife did not mind him and was too independent.

It would seem, though, that none of his pleas had any effect on the judge, and he was fined \$500.00, which is equivalent to a year in the workhouse, for repeatedly neglecting his family. On the same day he was sent to the workhouse. But five days later Mr. L. was paroled by the Board and signed the following pledge:

In consideration of parole granted me this date, I hereby agree to obey the laws and support my family, and to report every Saturday night to the office of the secretary for one year.

I also agree to reimburse the charities for the expenses they incurred in the maintenance of my family during my absence and to deposit \$300.00 with the Board as security against my deserting my family.

I further agree, if returned to custody by the Board for the violation of any term of this parole, to work out the balance of my unexpired sentence (\$500.00) at the rate of sixteen and two-thirds cents per day.

H. L. (his X mark).

Witnessed by FRANK P. WALSH,
Attorney for the Board.

September 29, 1909—\$300.00, which L. recovered from the street car company on account of injury to his child, was put up as security by defendant and deposited by the Board in the Fidelity Trust Co.

October 6, 1909—Reported at the office of the secretary. Works at ———. Earns \$18.00 per week and lives at home.

April 1, 1910—Man has been reporting every week at the office and the family is getting along very nicely. He managed to save \$200.00.

Here, then, is the case of a man who has so repeatedly abandoned his family that he became a chronic wife deserter. He was shrewd enough to realize that society would not allow his wife and children to starve and that they would be cared for during his absence. All at once the law takes hold of him and punishes him severely for the violation of his duties. Five days in the work-

house had sufficient effect on him to impress him with a sense of responsibility to his family, and he is willing to comply with any request that is made of him. All of our wife neglect cases are, with some modifications, handled in a similar manner.

Recently our Board has adopted a scheme whereby we are taking care of such families whose bread-winner serves a sentence in the workhouse. The amount given each family depends entirely upon the needs and requirements of that particular family. In that way the wives and children do not suffer pending the prisoners' confinement in the workhouse.

As I stated before, I feel that our scheme has had a very wholesome effect and will in time check considerably the evil of wife abandonment.

MR. MORRIS D. WALDMAN, New York: I did not expect to be called upon to close this discussion. It may, however, be well to summarize the essential points, so that you may take away a clear notion from the haze and maze of statistics which have been presented. The first thing we discovered is, that it is not a Jewish question alone, but is just as prevalent among the Gentiles, and from this fact we may take uncton to our souls. Furthermore, desertion has not been on the increase. Proportionately it has been on the decrease. Furthermore, among the causes of desertion immorality does not seem to be quite as prevalent among Jews as among non-Jews. I was particularly gratified that among the desertion cases I investigated in 1902 I found only three women who had been guilty of sexual immorality. The present study, incomplete as it is, also shows that self-indulgence is the chief cause of family desertion, and that there is little relation between desertion and industrial conditions.

I am sorry that Mr. Billikopf did not present to you more emphatically the plan which Kansas City has just about introduced. I look forward with a great deal of anticipation to the results of the scheme that has been inaugurated in Kansas City for the treatment of desertion cases, as well as the treatment of other minor offenses. Just another word: the causes as they appear in my report of 1902 were crudely tabulated; in the supplementary tabular forms appearing in this report you will find the

causes a little more scientifically tabulated, and I would recommend to the Conference, if it still believes that interest in the subject ought to be continued, that these tables be submitted to a special committee for approval and then distributed to all the relief agencies in the city, so that a thorough study may be made for at least one year, the results of such investigation to be embodied in the forms I have prepared.

PRESIDENT HOLLANDER: This concludes the morning session.

Wednesday, May 18.

AFTERNOON SESSION.

PRESIDENT HOLLANDER: A single paper has been prepared and circulated in printed form among those whose names appear on the program as "Open Discussion." Upon the completion of the reading of this paper the discussion will be carried on by those whose names appear, after which it will be put before the Conference for less formal discussion.

The principal paper will now be read by Mr. David M. Bressler, of New York.

The following paper on the subject, "Removal Work, Including Galveston," was then read by the reporter, Mr. David M. Bressler, of New York:

THE REMOVAL WORK, INCLUDING GALVESTON.

BY DAVID M. BRESSLER,

General Manager of the Industrial Removal Office,

NEW YORK, N. Y.

It is now a little over nine years since the Industrial Removal Office was instituted. Whatever the opinion may be as to the manner and efficiency with which it has handled the work for which it was organized, there can hardly be any question in the mind of anyone familiar with the subject that it is beyond the experimental stage. It meets a definite need and helps to solve a definite problem. That the need and problem exist, no one longer questions. The solution or remedy attempted by the Removal Office, namely, the distribution of Jewish immigrants