

SLOAN CHILDREN GIVEN TO MOTHER BY COURT ORDER

Judge Bert Fesler Sustains Mrs. Cecil Sloan in Her Demand to Keep Them.

Asserting that the courts have no right to separate a mother from her children, Judge Bert Fesler yesterday issued an order giving Mrs. Minnie Sloan, age 27, the custody of her son and daughter pending the outcome of divorce proceedings in progress against her husband, Cecil Gerald Sloan, age 27.

Judge Fesler's decision was made at an adjourned hearing of a petition introduced by Mrs. Sloan in which she alleged that her children had been forcibly taken from her a month ago, on the ground that the mother was not a fit person to be trusted with their care.

Tell of Theater Parties.

In support of the testimony of Mrs. Rose Sloan and Mrs. Hazel Lazar, her mother-in-law and sister-in-law, that the young wife has constantly kept late hours and gone about to theaters and dances in the absence of her husband, two Duluth men yesterday testified that they had accompanied Mrs. Sloan to such places on several occasions. Both men asserted that they discontinued making engagements with her as soon as they learned that she was married and the mother of children.

The Sloans were married at Antigo, Wis., April 6, 1911. Their married life ran smoothly for several years, Mrs. Sloan testified yesterday, until shortly before their first child was born, when she told her husband that she could no longer remain with him, and, went to Minneapolis, she said. It was there that she was beaten by her husband, she said, after he had located her with the aid of detectives.

Alleges Desertion.

Mrs. Sloan began action for divorce on grounds of desertion, alleging that, soon after her husband was discharged from the army in December, 1918, he left Ashland, where they were then living, and took up life with a woman at Ironwood, Mich.

The plaintiff further alleges that she was "drugged" and later sent to a state insane asylum at Waukegan, Wis., where she remained for nine months, according to her testimony. The charge of "drugging" is denied by the defendant's witnesses.

Charles Reichart of Minneapolis, with whom Mrs. Sloan is alleged by her mother- and sister-in-law to have corresponded, and whom they allege she visited early in March, sturdily disclaims any improper relation with Mrs. Sloan, in an affidavit filed as evidence yesterday by attorneys for the plaintiff. The letter follows:

"I have known Mrs. Minnie Sloan for the last 10 years. I knew her father, Dr. Breitman, and her step-mother also. Mrs. Sloan has always been a good friend of mine. I very much regretted it when she married C. G. Sloan as he has never treated her right and has a very bad reputation. She escaped from him once and came to Minneapolis some nine years ago. She called me up and I arranged for her to go to the house of a friend. She came in the morning and was at the Nicollet hotel. I made arrangements for her to leave the hotel and go to my friends's home until she could find work. She complained that Sloan had treated her brutally. Before she left the hotel, Sloan found her there and beat her up something terrible. Her face was just one mass of bruised flesh. I have not heard of her for a long time, in fact, since I got back from France, and I'm glad she has got her nerve up to get a divorce from that dirty slacker."

"Letters" Counterfeits, Charge.

Other letters introduced as communications between the young wife and Reichart are "counterfeits," Mrs. Cecil Sloan testified yesterday. "I never have seen those letters before," she testified. "They are not in my or Mr. Reichart's handwriting."

At the conclusion of the testimony Judge Fesler stated that he could

do nothing but grant Mrs. Sloan the custody of her children.

"Her husband has not appeared in court in this action," he said. "The only persons who are here to dispute Mrs. Sloan's right to take care of her children are her mother-in-law and sister-in-law. Such being the case, I do not believe the court has the right to take the children from the mother and put them into the care of some other person, regardless of how competent they may be."