

# WHEN MISSOURI WAS YOUNG.

The Old Legislature Used to Grant Divorces—Lotteries Were Legalized and a Plea for Reciprocity With Mexico Was Once Made.

Jefferson City, Jan. 24.—Nowhere can one find a better idea of the old Missouri than in the ancient statutes in the office of the secretary of state or the state library. Missouri is changing faster now than ever before in its history. A legislature brings men from every county together and gives a fair idea of the progress made by different sections of the state. This legislature has plenty of failings, but there are evidences that the whole state is making rapid advancement and southeast Missouri that generally has been behind shows the greatest change.

Of the old Missouri and its ways the ancient statutes tell their own story. In early years there were few divorces and the laws were strict. There seems to have been always a limited number of grounds for divorce, but the laws restricted the rights after divorce as well as before until there was much discouragement for the habit of lightly putting off responsibility. Before the civil war local and special bills were permissible. They are excluded by the constitution of 1855, but in the first half of the last century they were very common.

For example, the legislature of 1837 passed an act which declared that Elizabeth Farnella Lipscomb should be divorced from her husband, Wade Lipscomb, because he was cruel to her and drove her out of the house. The findings of fact were made by the legislature and it was provided that she should have a divorce, but it took an order of court to make it final.

Another act passed by the same assembly provided that Mrs. Francis Tucker of Platte county might marry, although her husband, who had disappeared, had not been gone seven years. Under the law of that day she had a right to consider him dead after he had been absent seven years. One year is enough now to give a wife a divorce if the husband makes no effort to provide for her. The bill does not state whether the woman appeared as a lobbyist and pleaded her own case before the legislature, neither does it tell whether the missing husband finally returned from his wanderings, nor is there any record on the subject at the capital.

LEGISLATORS WILLING TO HELP. As late as 1853 the legislature would step in its labors to relieve the distress of unhappy wives, as the following act

Approved March 2, 1855, shows for itself:

It provided: "That Sarah Mannel, late Sarah Cudde, of Cape Girardeau county, be and she is hereby authorized and entitled to institute, without delay, in the proper court, a suit for a divorce from her husband, George Mannel, who has willfully deserted her and now absents himself from her without a reasonable cause, as though the time fixed by the statute for divorce and alimony had elapsed."

Among the bills under the head of "relief" passed during the session of 1857 was one to permit Mrs. Melaine Lebeaume to make a will. The bill recited that when Louis and Melaine Lebeaume were married both had property and they made a contract between themselves regarding its control. That contract neglected to say that the wife could make a will and dispose of her own property. As she grew older she evidently felt that the oversight was one of serious effect, and petitioned the legislature for a special act to relieve her disabilities.

The relation of master and servant was peculiar under the old law. Kentucky allowed "free niggers" to stay in the state, but a negro had no business in Missouri unless he had a master. He was forbidden to allow negroes to ride on their trains without the permission of their masters and were liable for twice the value of a slave if they carried him away from his home and enabled him to escape.

An act approved March 1, 1855, illustrates the feeling toward free negroes and also the readiness of the legislature to pass special acts. The act says: "Whereas, It is represented to the general assembly that a free person of color named Rusele, now of the age of 14 years, was by the laws of Kentucky bound as an apprentice till he should arrive at the age of 21 years to one Isaac Thompson; and

"Whereas, It is further represented that since said Rusele was apprenticed to said Thompson, he, with his family, including said free person of color, has come into and settled in this state, therefore

"Be it enacted by the general assembly of the state of Missouri as follows: That said free person of color be permitted to remain in this state until he shall arrive at the age of 21 years, and no longer, any law to the contrary notwithstanding; provided, said free person of color shall continue and remain, during such time in the use and employment of said Thompson and family; and provided further that said Thompson, or some one for him, shall enter into a bond to the state \$1,000, conditioned that said

free person of color shall be of good behavior whilst in this state and that he shall depart from and remove out of this state upon his arrival at the age of 21 years."

## BARRED FROM THE STATE.

It seems odd nowadays that any person should be barred from entrance into a state, yet it took a special act of the legislature and a good bond to permit a negro boy to remain within the borders of Missouri, a free person. Had Rusele remained he would have been liable to seizure and his rights as a free man might have been forfeited if he had persisted in staying in Missouri after attaining his majority. Still, there was some good will toward negroes, for a special act at another time provided that an old negro named Dick, in St. Louis, might will some property that came into his possession in some way to a son who was made a legitimate child by a special act.

Changing a name and adopting children were done through special acts of the legislature and in some seasons as many as 20 persons would get their names changed by special acts. One family of four was adopted by an old man who was required to recognize the children as his own, although until that time they had borne their mother's name only. It is to be assumed that the father accepted them, although the act plainly defines the relationship which had previously existed.

One of the odd things in the old laws was that frequently permits were granted to persons to peddle without license provided they were not to peddle clocks. A stranger might wonder why clocks were so specifically barred. For example, in 1839, Archibald Warshaw of Pike county, was granted a permit to peddle without paying a license provided he must not sell clocks or spirituous liquors. The act recited that the permit was granted because he had only one leg.

The cause for exempting clocks from the things to be peddled was not unreasonable. Somewhere between 1830 and 1835 a Yankee came along with a cargo of clocks. He and others of his kind set out to peddle. They were big clocks of the old pattern, some of them six feet high. The settlers along the river bought them gladly and paid liberal prices for them. The clocks looked good and would run, but about the second day after the purchase the farmer would discover that his clock was not nearly so safe a restorer of time as the shadow of the loghouse on the ground. Consequently, wherever these Yankees went they filled their pockets with gold but left behind them Missourians who cursed both the Yankees and the clocks.

## THE RECIPROCITY IDEA.

The early Missourians of those days had pretty fair ideas of reciprocity. The legislature of 1839 sent a memorial to Congress asking for reciprocity with Mexico, which then extended into part of what is now Colorado and a corner of Kansas. It recited that traders had begun to make trips to Santa Fe, and had found the trade profitable. If only the United States would encourage it by proper laws a great trade in "hundreds of wagons" could be built up in a few years. Doubtless that looked big at the time, and a trade that would employ hundreds of wagons must have seemed very large and important.



SECRETARY CORTELYOU, OF THE NEW DEPARTMENT OF COMMERCE, AND HIS WIFE.

The new cabinet position, the department of commerce, of which George B. Cortelyou will be secretary, is now in existence by act of congress. Mr. Cortelyou is well known as the private secretary of Presidents McKinley and Roosevelt. In a few years he has risen from the position of a stenographer to that of a cabinet officer.

Lottery acts were not uncommon in the old laws. A lottery was legally established at New Franklin, near Booneville, and in 1835 an act was passed to allow the town to conduct a lottery with which to raise money to build a railroad from the town to the Missouri river. Before it was built it was not needed. The river came to the town, and now where the town stood the river bed lies deep and the current is swift. It may or may not mean punishment for the sin of conducting the lottery, but the lottery prospered in its day and made some St. Louis men very rich.—Kansas City Star.

We are very proud of the fact that doctors so generally indorse Ayer's Cherry Pectoral. There are two reasons for this: First, we send the formula to any physician upon request; and, second, the physician sees for himself that the medicine is all we claim for it. We make no extravagant claims. We raise no false hopes.



# Ayer's Cherry Pectoral

Sixty years of experience make us believe that this is the best medicine in the world for colds, coughs, croup, bronchitis, and all other throat and lung troubles. And the doctors agree with us.

Three sizes: 25c, 50c, \$1.00. J. C. AYER & CO., Lowell, Mass.

## HOW LORENZ STRAIGHTENS CHILDREN.

When he began to practise, a child who was born with the head of the femur outside of the acetabulum, or hip socket, was doomed to remain a cripple through life. There was no way of remedying the defect. Paolo Poggi was working with it in Italy. Lorenz went at it in Vienna. Almost simultaneously they developed a mode of operation—possibly Poggi having something of advantage in it—in which by cutting down into the hip, laying open the defective joint, scooping out a false socket and placing the femur in it, and then binding it in place until it had healed there, something of an improvement in the joint could be made. There were many dangers in it. Blood poisoning might follow. Suppuration often did. The child might not be able to rally from the shock. Or, more common than these, the joint became stiff, so that the patient would always be lame. But generally the child could walk after a fashion.

Five hundred times Lorenz operated by that method always trying to improve it. He wanted to do it without the knife. He thought that if the femur could be placed in the socket and held there a joint could be formed without cutting. He went to work on that hypothesis; and at last evolved the present "bloodless" method. Some idea of the

Importance of this step may be gained from the fact that Lorenz alone has operated by it, he says 1,000 times in Vienna.

This was the operation which was performed on the little Armour girl. It consists of knocking and tearing the muscles of the hip and thigh until they are virtually stripped from the bone. The thigh is then given a powerful downward wrench on the axis of the body, and the head thrust into the socket. Then the leg is twisted out to an angle in which it cannot escape the socket, and there it is bound in plaster bandages. For six months the child must walk with these on, every step driving the thigh bone deeper into the joint. By that time the muscles have grown into their new positions, the ligaments are strong, and the patient should be well.—John Swain in McClure's.

"To prove that I love you," wrote a Georgia swain to his sweetheart, "I'm about to drink carbolio acid for you, an carbolio acid is the most painfullest of drinks."

Mysterious Circumstance. One was pale and sallow and the other fresh and rosy. Whence the difference? She who is blushing with health uses Dr. King's New Life Pills to maintain it. By gently moving the lazy organs they compel good digestion and head off constipation. Try them. Only 25c, at Z. C. M. I. Drug Store.

# COLOSSAL PURCHASES

That Bring Phenomenal Values to Our Patrons.

New Spring Goods, from the foremost Manufacturers and Importers, abound in every department. New Merchandise of the most wanted kinds. New Goods for present and future use—all being hurried forward to the Auerbach Store. Come Monday, Come any day next week, and you will find something New. Below are some of the good things for next week.

## POINTERS ON NEW DRESS GOODS AND SILKS!

Dependability is woven in every yard shown in the Auerbach store. So much for the stability of the fabrics. Another point and very significant point about our goods is the slightness of the patterns and colorings. These offerings for Monday and week are examples:

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| <b>New Dress Goods</b>   | <b>New Silks!</b>  |
| 40c For satin striped wool Challie in navy, cadet, tan, gray, red, pink, light blue, old rose and reseda green.  | Victoria granite silk, the newest weave of the season, a soft and crapey effect in all street and evening shades, \$1.25 value, THIS WEEK ..... 98c      |
| 60c For pure all wool Canvas cloth, a bright open woven cloth and one of the most popular materials of this season's manufacture in blues, browns, tans, reds and greens, including black. | Black pour de sole silk, soft and pliable, will not crack or crease, every yard of this special number warranted, \$1.19 ..... \$1.19                    |
| 85c For 45 inch pure all wool Panama cloth, a hard twisted and serviceable goods for all round hard wear in all the leading street shades.   | Black armure silk, this silk is made in small needed patterns, soft finish and will not crack or crease, 24 inch, \$1.50 quality, THIS WEEK ..... \$1.10 |

## THE NEW WHITE GOODS!

The demand for white dress and waist materials is unprecedented, and the retailer who had not the foresight to order early will not be able to offer "novelties" until they are no longer "novel."

- F. Auerbach & Bro. are ready, and our display tomorrow will show the newest and best of the season's productions. Here are 2 great specials for this week's selling, but we had better say: as long as they last:
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| 25 pieces 40 inch wide White India Linon, the best 18c value ever offered, for this week only, per yard .....                  | 12½c |
| 20 pieces white book-fold Nainsooks, satin checks and plaids, extra fine value at 18c, for this week's selling, per yard ..... | 12½c |

## BEAUTIFUL SPRING WASH FABRICS.

- New Textiles in Great Abundance at the Most Tempting Prices.
- The Whole Wash Goods Department blossoms into a scene of rich and radiant fabric beauty Monday morning. From Europe and from the foremost looms of the United States come thousands of yards of exquisite creations in glorious 180 cottons. As fresh as the flowers that bloom in May, such an imposing exposition will awaken liveliest interest. No better assortment of exclusive novelties was ever seen in Salt Lake. The price inducements are such as to justify the most enthusiastic buying on the part of the public, in search of High Class Wash Textiles.
- In addition to the display of novelties we offer the following interesting specials for this week:
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| 100 pieces crisp, fresh, new Zephyr Ginghams, 1903 styles and colors, in checks, plaids and stripes, at per yard .....  | 10c |
| 20 pieces beautiful new Glasgow Mercerized Chambrays—look like silk—plain colors and stripes, a 30c value, at per yard .....  | 20c |
| 50 pieces finest Scotch Madras Ginghams, the real Scotch—made in Great Britain—look for the label! finest Madras finish—clear color effects with heavy fancy cords and embossed effects in various styles—25 inch wide, value, 55c, at a yard ..... | 25c |

ESTABLISHED 1864

# F. Auerbach & Bro.

ONE PRICE TO ALL NEVER UNDERSOLD

## Elegant Costume Display!

Over one hundred New demi-costumes, each and every one different. The new and latest fabrics and trimmings, presenting a tone of dressy taste that has not been shown in ready-to-wear garments in many years. Here in a multitude of effects for your choosing. Prices—

\$15.00  
to  
\$45.00



## THE "DERBY" WAISTS!

Are here on early display, presenting a wealth of style of and beauty. A WHITE SEASON is promised. We are well prepared. The "Derby" line of white damasks and Oxfords cannot be duplicated anywhere in America. Prices—

\$1.75  
to  
\$5.00

## VERY SPECIAL OFFERING OF SPRING AND SUMMER SAMPLE DRESSES

For Week Commencing Monday, March 2nd, for Misses and Children, sizes 2 to 14, at Less Than Cost of Production.

Those who have taken advantage of our Great Sale of Infants' Sample Dresses last week have gone to their homes astonished but mightily pleased with the Bargains they secured. This week we start the mighty Bargain feast for the larger children. Hundreds of pretty dresses made by the best manufacturers in America for their show rooms, which have, now that orders have been placed, answered their purpose, have been secured by our buyers at a great sacrifice, and are placed for your choosing here Monday.

There are some of every size but never more than one of a kind. Be on time to take advantage of this Great Drawing Card.

## WOMEN'S and CHILDREN'S NEW SPRING HOSIERY!

Simply wonderful values, values that assure a triumph for us and unparalleled money savings for you. They certainly deserve your attention, for a better line of dependable hosiery was never seen anywhere. Following are some special leaders for this week:

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| Women's extra quality Maco cotton hose, full regular make, with double soles, heels and toes, fast black, equal to the best 35c stockings in the city, for this week at .....   | 25c |
| Women's fast black fine listle thread hose, a very superior grade, with double heel and toes, in medium light weight, all sizes, reg- ular 55c quality, at .....  | 40c |
| The Pony Stockings for boys and girls, special this week, at .....  | 25c |
| We are showing the celebrated Wayne knit-pony stockings, in 3 weights, extra heavy, medium, or light weight. These are guaranteed fast black, unsurpassed for strength and durability, made with reinforced knees, heels, toes and soles, sizes 5 to 14, certain to give better wear than any other 35c stocking made our leader this week at ..... | 25c |



## THE VERY LATEST STYLES IN FINE FOOTWEAR,

For Ladies', Misses', Boys' and Children, Just Received

In Our Shoe Department! Everyone knows we don't ask fancy prices for our Shoes. SPECIAL BARCAINS in Ladies' Low Shoes Next Week