

DIVORCE IN SOUTH DAKOTA

Referendum Law Being Used to Delay Possible Change in Conditions.

CITIZENS OF STATE BECOME AROUSED

Bishop Hare Has Taken Up Cudgel in Support of More Rigorous Provisions Relative to Securing Residence.

MITCHELL, S. D., May 24.—(Special.)—Some years ago when the populist legislature of South Dakota passed a law making the initiative and referendum operative it was scoffed at pretty generally by the attorneys, and particularly the republican lawyers, but today they have taken to thank for saving an industry that is dear to the hearts of the lawyers, particularly those who reside in Sioux Falls and are engaged in the divorce business. South Dakota's divorce laws appeared sufficiently lax to the eastern people, or the distance from eastern scenes was sufficiently great to lose the notoriety, so that hundreds of mated couples have been coming here to be relieved of the yoke that galls, and a very profitable business has been worked up. Sioux Falls appeared to be the mecca for those who desired to have the ban broken that was tied so tightly in the east.

At the recent legislative session, however, an effort was made to make the securing of divorces in South Dakota a more difficult matter, so a law was passed amending the old law and requiring a year's residence in the state in place of six months as had been required before.

This year's residence was going to spoil an immense amount of business for attorneys, and they fell back on the initiative and referendum to save them a year and a half of grace before the law can go into effect, if at all. The referendum provides that when a law is passed by the legislature and it goes into effect without the emergency clause, it can be referred to the people of the state at the next general election for adoption or rejection, and this is what the attorneys have been able to accomplish. Petitions were sent out to all parts of the state to secure the signatures of voters asking that the law be referred to the people, and having secured the names of 4,000 voters, that being the percentage required under the voting population of the state, the attorneys have been able to secure a vote on the new law, and this will be had at the next general election, which will take place in November, 1908.

Law May Not Be Enforced.

Under the circumstances the divorce industry will not be closed until the people say that the new law will stand and the indications point to the fact that the law will not be enforced by the people. Bishop Hare of the Episcopal diocese of South Dakota hopes, however, to defeat the ambition of the attorneys. The bishop has been a very bitter foe to the divorce industry in this state, and has fought it at almost every angle and now he threatens to publish what he calls a roll of dishonor, that of the names of the voters in the state who signed the petition for the referendum vote. The bishop claims that some on the petition were forged, and were placed there without the consent of the signer, and in one case this was proven true.

Since the divorce industry was started in South Dakota it has increased to a wonderful extent, and in these years there have been some notable cases before the courts, including titled gentlemen and titled ladies, who have come to South Dakota for that sole purpose, although occasionally residents of the state, and this is what has wrought up such a feeling against the liberal portions of the law. To the moral portions of the state this matter of bringing the eastern lines out to the west to wash and hang out on our line in the background to dry was becoming distasteful. It was bringing to the state an undesirable name, and one that it

was not entitled to, when as a matter of fact just as many divorces were being issued in many of the larger eastern cities as in this state, but out here the notoriety was not so great.

Many of the better class of people believed that with the granting of so many divorces it was having a bad effect on the residents of the state, and that divorces among the home people were growing in number by reason of the prevalence of the divorces in the Queen City. The divorces grew so large in number that they were regarded as a "divorce colony." When a stranger appeared in the city and went to the leading hotel, it was a ten to one bet that there was an application for divorce on hand, and the better were not far from being right, particularly where the stranger carried any amount of luggage with him.

Divorces Set Swift Pace.

In Sioux Falls it is freely conceded that the home life of many people has been broken up by the presence of eastern people seeking divorces. They with little or nothing to do but to wait until the required time had passed, rather depended upon the local talent in the Queen City to interest them until the time of their departure. Naturally the divorce seekers set rather a fast pace with the money at their command.

In many of the counties in the circuit courts of the state, divorces are not granted with the same freedom as in others. Several years ago Judge Frank B. Smith, of the Fourth judicial circuit, made a ruling which applies to every county in which he presides that has injured the divorce business in this circuit. It had been the custom that when the six months' residence had been completed, for the fair one to appear before the court at any time and ask for her decree, but under Judge Smith's jurisdiction he will hear no divorce cases except at the regular term of court and then, too, only in open court, where the public has free access to see and hear everything that goes on in court. The cases were very frequent where parties went to Sioux Falls and completed their residence and would then come over to Mitchell to secure their decree, whenever their time expired.

One Lady Disappointed.

An instance is given of one prominent lady from the east who started her case in this county and made her residence in Sioux Falls, where life was a bit gay. Her six months' residence expired just a month after the adjournment of court, but she was not aware of the ruling and she started back east. Her indignation and chagrin knew no bounds when she discovered that she would have to wait until the regular term of court was in session before she could be freed from the man she wedded in her palmy days. The court was adjourned and the unfortunate divorcee allowed her chagrin and went back for her five months' imprisonment in South Dakota. In several other circuits this same ruling of Judge Smith has been applied, but the time still remains open at Sioux Falls.

A year and a half only remains now for the eastern people to come to South Dakota and get their decrees with as little trouble as possible, but it is safe to say that after that time divorces will come with greater effort on the part of the interested parties, so far as the matter of residence is concerned. At the election a special campaign will be made on both sides of the proposition—one to save the state from the distasteful reputation, and the other to save the attorneys a remunerative business, that a great many of them feel they need in their business. The effort of the initiative today is very much against the divorce proposition, but how it will be a year and a half hence there is no telling.

EMPEROR WINS HER LAW SUIT

Hundreds of Articles of Emperor Napoleon III Which Eugene May Recover.

PARIS, June 1.—(Special.)—Empress Eugenie has just won her suit in the case of "Empress Eugenie against Prefect of the Seine." The case has just been decided before the first civil tribunal. The beginning of the litigation goes back twenty-eight years and the plaintiff founded on a "sequestration" of the first years of the second empire, her "claim of objects appertaining to the private property of Napoleon III," as it was legally stated. On December 12, 1857, the personal possessions of the emperor were determined by law. The empress commenced action in 1879 to recover from the imperial palace, become national estates since the third republic, certain property which it was claimed had belonged to the emperor personally as distinct from crown property, which has reverted to the nation. Nearly all of the inventories of collections in various palaces were destroyed during the days of the commune. But the administration of public domains, after years of research, has drawn up a final list of objects now at the presidential palaces of the Elysee at Fontainebleau, Compiègne, Trianon, Rambouillet and the rest at the former Museum of Sovereigns. Louvre which were the personal property of Napoleon III and which the courts have just ordered returned to his widow. Devolutions happen and empires rise and fall in France, but French civil law pursues the even tenor of its way without even a break.

The list drawn up of articles which the empress, after the dethronement of the emperor, had taken with her, contains hundreds of items, including seven at the Elysee, fifty-three at Fontainebleau, twenty-nine at Compiègne, one at Trianon, two at Rambouillet, four at the Louvre and the rest at the former Museum of Sovereigns. Louvre which were the personal property of Napoleon III and which the courts have just ordered returned to his widow. Devolutions happen and empires rise and fall in France, but French civil law pursues the even tenor of its way without even a break.

Deserted Iowa Towns.

Our state is so young that many are still in the life of infancy in laying its foundations, and yet we have many deserted villages. There are probably few of the older counties in the state that have not their deserted villages.

Des Moines county has several of the most important of which was Kosciusko, a town of some pretensions in the northern part of the county. It boasted of a fine academy, where the higher branches were taught. It was a place of some commercial importance.

When the iron horse sought its way northward from Burlington it passed two miles eastward of Kosciusko, and the academy began, and it soon became apparent that Kosciusko was being left out. Many of the houses were gradually moved from Kosciusko to the railroad town, and today practically nothing remains of Kosciusko—Burlington Hawkeye.

IS FOR CAPITAL PUNISHMENT

Public Executioner, Anatole Deblor of Paris, Gives His Views on Subject.

GIVES INFORMATION ABOUT HIS DUTIES

He Has Two Guillotines Built in 1871—Has No Qualms as He Presses the Button—Details of Gambetta's Death.

PARIS, June 1.—(Special.)—Incredible though it may seem, the startling discovery has just been made that Anatole Deblor, the public executioner, is strongly in favor of capital punishment. Unfortunately for him, his occupation is gone, or, at least, for the time being is in abeyance. Parliament passed a resolution some time ago in favor of abolishing capital punishment, and pending the discussion of a bill on the subject all criminals sentenced to death are reprieved. Anatole Deblor, during his enforced leisure, received the journalist who claims to be the first to have ever had an interview with a public executioner since 1858, when, seemingly, the gentleman who works the guillotine by pressing a button were more easily got-at-able. Anatole Deblor is the son of a former executioner, who died lately, and whose father was in the profession before him. The present Anatole had much more pleasant and curious information to give about his art and his instruments than any of his predecessors. He has two guillotines, both built in 1871, the previous machine having been burned during the days of the commune. Each of the instruments cost \$200. The triangular knife, which weighs fifteen pounds, is worth \$10. The total weight, when it falls with its cast-iron back, is ninety pounds, and it drops from the height of eight feet. The journalist was given the knife to hold, and published a picture of himself handling it rather gingerly and looking decidedly uncomfortable.

When the Button is Pressed.

What are Deblor's impressions when he presses the button? He says that he has not any. At first he felt a "little qualm," but it is "all a matter of habit." He looks upon the business much as a surgeon looks upon a surgical operation—a necessary evil. Indeed, he has a deep sense of its usefulness to society. Out of the 112 criminals whom he executed only one had reached his 40th year. All of the others were from 18 to 24. He has many more crimes they would have committed during a long lifetime if he had not put them out of the world is an interesting question propounded by Deblor. The public executioner is the mildest looking of men—dapper, neat, insignificant, with wavy-blue eyes. He has been twenty years in the business, having at first acted as an assistant to his father. He was appointed the chief executioner eight years ago and his average number of executions has been under eight. His salary is \$150 per year, plus \$5.00 for expense. He says that if his office should be abolished he has means of his own upon which he can live. He is a man of retiring disposition, does not care to go into "society" very much, has only a few intimates, with whom he plays a quiet game of cards. When asked whether he would favor the American idea of executing criminals by the use of electricity, he said that each country had its own peculiar fancies and that it was probably as well for each nation to cling to the customs well established historically.

Death of Gambetta.

"Le Coeur de Gambetta" is the title of a very interesting work by M. Francis Laur, which has just been published. It gives an account of the great tribune's long friendship with Madame Leonie Leon and contains many important historical features. Gambetta took the lady to whom he was devoted and whom he would have married if death had not cut his career short in the flower of his age, regularly into his counsel and relied implicitly on her judgment. It will be remembered that a flood of controversy has swung round the point of the exact circumstances under which Gambetta died. Stupefaction took place on the part of the public when it was learned that he was in danger of losing his life, and after he had expired all sorts of sensational rumors were current. M. Laur settles this question quite conclusively.

First, there was an accident, which was nothing but pure accident, and complications followed which proved fatal. It was on the morning of Monday, November 27, 1872, that the trouble which was the cause of the eventual disaster concerning Gambetta was at his villa at Ville d'Avray and a great friend, General Thomas, had called on him. Gambetta had asked him to stay to luncheon, but he had an engagement at Versailles. So after he had left, Gambetta, by way of beguiling the half-hour preceding the meal, went up to his bedroom to fetch a revolver for practice, of which he was very fond. He was notoriously careless and while handling the weapon it went off, sending a bullet right through the palm of his right hand. Madame Leonie Leon, alarmed by the report, rushed to her own chamber and found Gambetta bleeding profusely. He did his best to reassure her and she assisted him until doctors arrived and stopped the hemorrhage. They were to have been married privately in three days and now the wedding was delayed by the accident. Gambetta, however, able to move about the house and four days later he drove out, a very imprudent proceeding, as he contracted a chill. Feverish symptoms supervened, and friends who thought that evening went home anxiously. Several days later Dr. Lannelongue spoke of a perforation of the intestine, but his medical colleagues entered a protest. He had suggested an operation, but the proposals were rejected at various consultations, and he even received a hint not to return. Brylspies declared itself on the abdomen. On December 20, tea with kirsch and also some grogs were given to the patient. Gambetta soon grew indifferent to everything but his fever set in. On the morning of December 21 all the doctors except Lannelongue gazed in silence at the sufferer who was dying. Coffee and champagne were given to him, but he could not retain them. He was warmed with hot water bottles. At 10 o'clock that evening the symptoms grew more alarming, but Lannelongue was still conscious. His last word was uttered at a quarter of eleven, and he expired a few minutes before midnight, going out with the year. During the whole of his illness not a murmur passed his lips. Two hours before he drew his last breath he had thanked Dr. Lannelongue with a sign and a smile. His friends remained all that night in the death chamber and when the sad news was spread about Paris in the morning every train brought crowds of sympathizers to La Jards.

Beginning of the End.

Gambetta lunched a little too heartily on that day and from that moment grew worse. Abnormal abdominal pains developed, and on the following day his face was slightly congested and he had no sleep. He refused the food, however, able to move about the house and four days later he drove out, a very imprudent proceeding, as he contracted a chill. Feverish symptoms supervened, and friends who thought that evening went home anxiously. Several days later Dr. Lannelongue spoke of a perforation of the intestine, but his medical colleagues entered a protest. He had suggested an operation, but the proposals were rejected at various consultations, and he even received a hint not to return. Brylspies declared itself on the abdomen. On December 20, tea with kirsch and also some grogs were given to the patient. Gambetta soon grew indifferent to everything but his fever set in. On the morning of December 21 all the doctors except Lannelongue gazed in silence at the sufferer who was dying. Coffee and champagne were given to him, but he could not retain them. He was warmed with hot water bottles. At 10 o'clock that evening the symptoms grew more alarming, but Lannelongue was still conscious. His last word was uttered at a quarter of eleven, and he expired a few minutes before midnight, going out with the year. During the whole of his illness not a murmur passed his lips. Two hours before he drew his last breath he had thanked Dr. Lannelongue with a sign and a smile. His friends remained all that night in the death chamber and when the sad news was spread about Paris in the morning every train brought crowds of sympathizers to La Jards.

Two women fell into a cage of lions.

other day in Apollo, a new music hall only recently opened, and were nearly eaten up. The spectacle was much more sensational and one might say sanguinary than had been provided by the program. The two women were tight-rope dancers and were supposed to perform a series of clever feats on a rope stretched across the stage, and under which there was a big cage with two lions. The top of the cage was left open so that the lions could see the women performing over their heads, and the public could at the same time enjoy the delightful sensation of terror. The lions as a rule took no interest in the feats of the tight-rope walkers and sometimes even dozed off while they were in progress. Perhaps they could not see the sense of the exploits. However, they suddenly awakened from their indifference. The rope snapped in twain in the middle of a performance and the unhappy women fell literally into the jaws of the lions. The wild beasts naturally did not understand the situation and mauled and clawed the women terribly. One of the women had presence of mind enough to remain prostrate on the floor of the cage, and succeeded in crawling out, while her companion was so imprudent as to stand up and was mauled by the lions. The audience was in a panic, women screamed with terror and faints. After considerable efforts the remaining woman was finally rescued from the cage. Her arms and legs were terribly clawed and bitten, but she had escaped with her life and seemed cheerful over it. She even took her companion by the hand and with dramatic self-composure came before the curtain and saluted the spectators.

An Interesting Law Suit.

An interesting law suit has been attracting unusual attention before the Paris correctional courts. The main subject of the debate was whether Don Antonio d'Orleans, a grandson of King Louis Philippe, had been struck and made to bleed with a parasol by a former woman friend, Madame Guggenheim, and whether he owed her a sum of \$2,000, which it is alleged she lent to him. The suit and the counter suit to both lawyers declared were scandalous and should never have been started. A year ago the prince happened to be coming out of a shop in the Rue de la Paix, when he was attacked by a woman, who struck him twice with her parasol until he bled. The woman turned out to be a former friend with whom he had been on very intimate terms for more than seven years. He brought a suit against her for the alleged assault and she brought a claim against him for \$2,000. This sum she alleges that she loaned him and that it was a loan is proved by the fact that his secretary paid \$2,000 for one year's interest on it. The discussion in the courts did not do much to clarify matters. The lawyer of the one party did his best to interrupt the other party and the court joined in by adjourning the case for the purpose of giving both parties an opportunity to settle matters out of court if possible.

An extraordinary case in which a man named Gensat is accused of forcing his sister to swallow needles and pins is reported from Tassin in the Rhone department.

Neighbors heard Mlle. Gensat pleading with her brother, "Don't torture me," and informed the police. The girl when examined told an extraordinary story, declaring that her brother had systematically mixed pins and needles with her food and had forced her to swallow them.

The story was at first discredited, but a doctor who was called declared that the girl was virtually a living pin cushion. He succeeded in extracting seventy-two

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