

Couldn't Walk!

"I used to be troubled with a weakness peculiar to women," writes Mrs. Anna Jones, of Kenosha, Ill. "For nearly a year, I could not walk, without holding my sides. I tried several different doctors, but I grew worse. Finally, our druggist advised Cardui for my complaint. I was so this, my weight was 115. Now, I weigh 163, and I am never sick. I ride horseback as good as ever. I am in fine health at 52 years."

TAKE The CARDUI Woman's Tonic

We have thousands of such letters, and more are arriving daily. Such earnest testimony from those who have tried it, surely proves the great value of this vegetable, tonic medicine, for women.

Cardui relieves women's sufferings, and builds weak women up to health and strength. If you are a woman, give it a trial. It should help you, for it has helped a million others. It is made from pure, harmless, herb ingredients, which act promptly and surely on the womanly organs. It is a good tonic. Try it! Your druggist sells it.

Write to Ladies' Advisory Dept., Chas. H. Glaxo Co., Chicago, Ill., for Special Instructions, and 64-page book, "Home Treatment for Women," and box, 128.

POPULAR TALKS ON LAW.

When the Banker Cashes Your Check.

By Walter K. Towers, A. B., J. D., of the Michigan Bar.

John Summers was keeper of the general store at Elmwood, Alameda county, and was owner and head of the Elmwood Savings Bank. The relations between the two men were far from friendly, but as there was no other bank near at hand Summers maintained a commercial account in Summers' institution. One Tuesday morning he purchased a load of potatoes from Clyde Webb, a prominent farmer of the vicinity. Summers paid Webb immediately, giving him a check for twenty dollars properly drawn on his account in the Elmwood Savings Bank. Webb took the check to the bank and presented it to McPherson, who was in the teller's cage.

"What did you do, go and sell that load of potatoes to Summers?" inquired McPherson. "Yes, why not?" replied Webb. "Well, you might have given me a chance at them. You know I am buying produce as well as banking."

"That's no reason why I should not sell to John Summers."

"Well, I'll show you you're a fool to sell to him," angrily asserted the banker. "He paid you with a check, didn't he? And you took it; and it ain't no good at all, see?"

"What's the matter?" asked Webb.

"Why, he's no good financially, and his check's no good, and you can't get any money on it."

Webb returned to Summers, and Summers hastened to the bank, knowing that his balance stood close to four hundred dollars. After a heated discussion at the bank Summers traveled to the office of his legal counselor. As a result action was begun against the banker because of his failure to cash the depositor's proper check and substantial damages were recovered because McPherson's action had injured Summers' standing and credit in the community.

This case illustrates what is perhaps the primary duty of the banker to the depositor—to pay all proper checks drawn on him against adequate deposits. If the banker fails to do this, either wilfully or through mistake, he must answer to his depositor. If the depositor whose check was wrongfully dishonored suffered any damages he may recover the amount against the banker. Injuries to credit and business standing are the damages usually complained of in such cases. The banker is entitled to a reasonable time after presentation in order that he may examine into the state of the account against which the check is drawn. Good bankers have their affairs so arranged that this is a matter of seconds rather than minutes.

When Summers sued McPherson, McPherson defended his action on the ground that while Summers did have a balance of about four hundred dollars, the bank held Summers' note for five hundred dollars, and was to fall due within a week. The banker insisted that he had a right to retain Summers' deposits to insure payment of the note when it should fall due. His position was not justified in law and furnished him with no effective defense. A banker may set-off an indebtedness that is due by the depositor to the bank against the deposit but he may not set off one not yet due. Summers could not be required to pay the note until its maturity, and until then it was not an effective obligation against him.

When the bank pays a proper check it has a right to charge payment against the depositor. It may be that the bank will choose not to dishonor the check for ten days when a balance is due but seven remains and will accommodate its depositor by paying his check in full. This is what is known as an "over-draft," and while contrary to the printed rules of most banks is still frequently done in ordinary commercial practice. If the bank allows an over-draft, in effect advancing money for its depositor it may recover the amount from him.

Bankers do not take time to investigate a depositor's account

for every check that is presented to the bank for payment. They depend upon memory, and confidence in the depositor, in many instances. So it sometimes happens that a bank will pay a check under the belief that the signer has an adequate balance on deposit, when such is not the case. On discovering its mistake banks have a sometimes endeavored to recover the money paid the person who presented the check, but they have not been successful in one sense of the word, the bank paid under mistake, and mistake is sometimes ground for recovery of money paid, but not by a bank under these circumstances.

Sometimes after a person has signed and delivered a check he wishes to recall his action. He immediately gets in touch with his bank on which the check was drawn and instructs it not to pay that check when it is presented. This is known as "stopping payment." Stopping payment ends the bank's duty and also its right to pay the check when presented. It not only need not pay the check, but it must not pay it. If it disregards its depositor's instructions and pays the check on which payment has been stopped it is the loser as it may not charge that payment against the depositor's account.

A. L. Sullivan owed James P. Long \$41.00, but by mistake he filled out the check to James A. Long and mailed it in an envelope addressed to James A. Long, and James A. Long received it and cashed it at a bank. The bank lost the money it paid out on the check. This was because a bank is bound to make certain that it is paying the check to the right or proper party. In law the middle initial is not a part of the man's name, and so the check was payable to James Long.

If there are two persons of the same name it becomes the duty of the bank to pay it to the person of that name who rightfully may receive it. So it is that bankers will cash checks only for responsible parties known to them.

Thus we have illustrated an extreme case under the general proposition that a bank paying a check must do so only to the proper party. If any one steals or finds a check, or forges an endorsement and so secures payment from the bank, the bank must stand the loss. If a check has been endorsed in blank, or was drawn in such form that it was payable to bearer, any bearer may receive payment on it and a bank is justified in paying it to any bearer. Unless there is some special circumstance to cause it to believe that the bearer is not the rightful owner of the check and not entitled to receive payment of it. When you draw a check payable to "the order of John Smith" you are entitled to the assurance that the bank will pay it to no one other than John Smith or parties to whom he may transfer it by valid endorsement.

Paul Greer, in Chicago, signed a check for \$200.00, directing his local bank to "pay to the order of Leon Young." Leon Young received the check in St. Louis and endorsed it as follows, "Pay to the order of the Copper Exchange Bank, Leon Young." He handed it to his clerk together with a deposit slip, and told him to take it to the bank and deposit it. The clerk tore up the deposit slip and told the teller Mr. Young wanted cash. The cash was given to him and that was the last that was heard of the clerk or the \$200.00. Again the bank was the loser for the check was endorsed to the bank and not to the clerk, nor in blank by Leon Young so that the bearer might receive the money. If Young had simply written "Leon Young" on the back of the check he would have been the loser. So if you are to send a check to the bank for deposit, and do not trust your messenger absolutely, endorse it to the order of the bank and not in blank—then the bank will not deliver it to the bearer except on your written order.

In the case of forgeries the banker also bears a heavy responsibility. No other checks can be charged against the account of a depositor than those he has actually signed and which have been paid to the proper party. If the bank pays a forged check it is the loser unless in some way contributed to the fraud practiced on the bank, and so is not in

the position of an innocent party. In the case of raised checks the bank must also bear the loss again with the proviso that the depositor who signed the check in no way contributed to the fraud. If he drew the check so carelessly as to make the fraud possible, or in any way conspired with those who raised the check, his position is not so favorable. We have before noticed that the bank loses if it pays a check to a party not entitled to receive payment of it and that this is true though the fraud be accomplished by a forged endorsement. Of course a bank paying money to a party claiming his rights through a forged endorsement may recover from that person—always provided it can catch him.

Such are the rights of the depositor against the banker. Remember that the banker bears these heavy responsibilities, and if in dealing with him he insists that you comply with formalities that to you seem useless, remember the strict requirements made of him. Handle all your checks in a business like manner.

DEVELOP TRADE BY CO-OPERATION

What a Wisconsin Town Did Merits Emulation.

COMMUNITY SPIRIT TELLS.

Grass Once Grew in the Streets of Delavan, Wis., but That Was Before the Citizens Learned to Keep Trade and Profits at Home—Three Hundred Per Cent Tax Increase in One Year.

Delavan, Wis., is an excellent example of a village center around which has developed one of the most prosperous and cultured agricultural communities. Twenty-five years ago, what was a sleepy town, with grimy streets and muddy roads. Foot-keeps roads radiated through the rural districts. Little was done for the farmer other than to supply in an indifferent manner his simpler requirements, and farm lands were not valued as highly around Delavan as near two of the larger towns in the county.

About this time an awakening took place. The citizens paid the railroad bonded debt in one year, even though the taxes were increased nearly 300 per cent. Then followed a new high school building, city waterworks, sewerage, electric light plant, improved streets and country roads. A woman's improvement club cleaned and raked and scrubbed the town and established a standard of civic pride that has made

Delavan one of the show towns of southern Wisconsin. The Chamber of Commerce was organized in 1905, and an additional opportunity for intellectual and spiritual uplift was given our countrymen. The business part of the town was practically rebuilt. Enterprising merchants, with fine stores and excellent stocks of merchandise, actively competed with the larger neighboring cities of Beloit, Janesville, Whitewater, Burlington and Lake Geneva for the farmers' trade with ever increasing success.

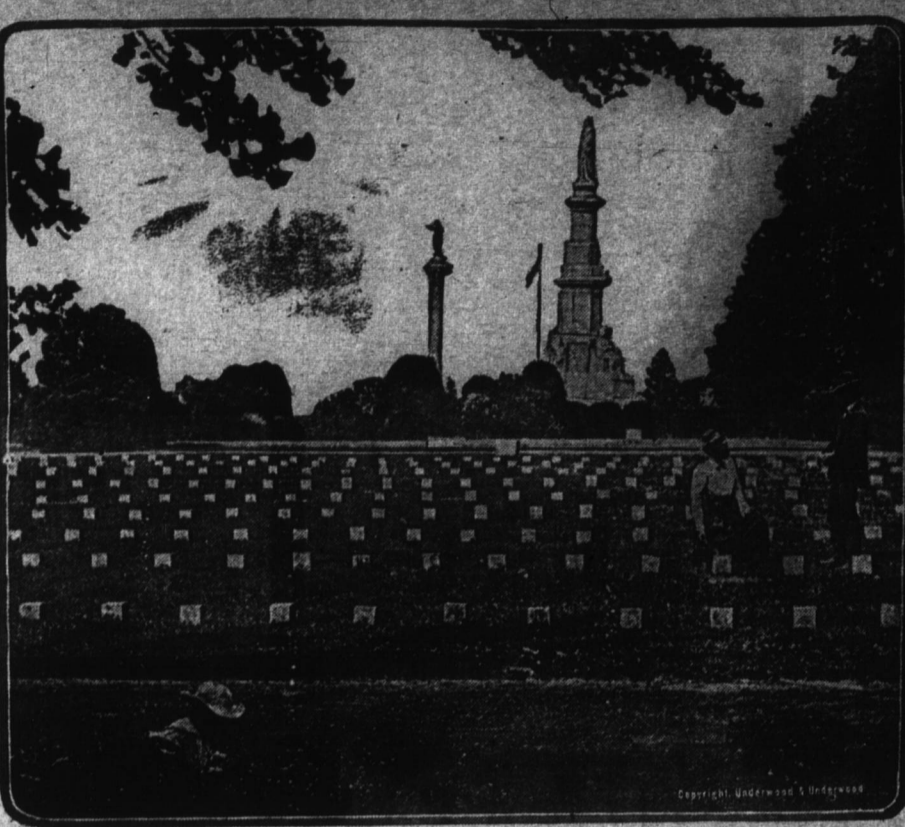
The merchants, in addition to the excellent values offered throughout the year, established a Delavan week sale in midwinter, at which time every storekeeper made especially low prices on goods and also contributed money to provide free entertainments at the open house and picture shows for all visiting farmers and their families. During one of these weeks, held in 1915, \$20,000 was spent. Farmers' institutes and poultry shows were held. Concerts, theatrical entertainments and winter lectures courses were maintained and were patronized by towns and country people alike. Baseball games, sold days, carnivals and celebrations were of frequent occurrence. A free public library was established, and out of about 1,500 patrons' cards outstanding over 400 are held by farmers and their families living from one to seven miles outside of the town.

The result of all these things has been that the town has made the farmers prosperous and the farmers have made the town prosperous. Real estate is fully 20 per cent more valuable in Delavan township, according to the last assessment figures of Walworth county, than any other township in the county.

A live town is a better market than a dull one for all kinds of farm produce, with keener competition among business men. And if the farmer can readily sell his produce in a town he is certain to buy the town merchant's wares in return. Fine stores with large and varied stocks of up to date merchandise are his assets to any town and are equally valuable to the neighboring farmers. They spell prosperity for both.—American Agriculturist.

Smoke Costs by Chicago. Smoke belched by locomotives costs Chicago \$7,000,000 every year, according to statistics just published by Al. German Theodore Long, which will be submitted to a committee of the city council that is considering an ordinance for the electrification of railway tracks. The total smoke damage exceeds the city's receipts from saloon licenses, and the average loss to each family of \$15.00 is figured as greater than the annual personal property tax. Al. German Theodore Long's figures give the daily number of locomotives in Chicago as 1,500 and their daily coal consumption as 5,000 tons. Damage by smoke of all sources is estimated at \$18,000,000 annually.

GRAVES OF THE UNIDENTIFIED DEAD AT GETTYSBURG



This picture shows the grave stones of 979 of the great battle's unidentified dead. The monument in the background marks the spot where Lincoln made his famous address at the dedication of Gettysburg cemetery, November 19, 1863.



Old Belfry, Lexington, Mass.



Parker Memorial Fountain, Lexington.

Health And Hygiene.

State Board of Health Changed.

Three new members went on the State Board of Health last week. The new members are Dr. Edward J. Wood of Wilmington, Dr. A. A. Ketter of Lenox, and Dr. Cyrus Thompson of Jacksonville. These new men succeed Dr. Edward C. Register, Charlotte; Dr. J. E. Ashcraft, Monroe; and Dr. David T. Taylor, of Washington, whose terms of office expired at the close of the meeting of the State Medical Society held at Morehead City last week. The former Secretary of the Board, also expired, but he was reappointed by the Governor to succeed himself. The new members are all well known physicians throughout the State. They enter upon the duties of this responsible office with earnestness and enthusiasm, and the citizens of the Old North State have a right to expect from such men real advancement in health work in the course of the next few years.

To Check Health Work. The value of health work will measure much longer by the fuss and fume made by health departments. People are beginning to demand, definite, concrete results—namely, a reduction in the amount of preventable sickness, as well as a reduction in the death rate. We now have a vital statistics law which will soon be able to point out to the general public whether or not a health officer can reduce the death rate, and as soon as we can get a good morbidity law we can tell whether or not he can reduce preventable sickness. Then the public will have a good check on health officers, city, town, county and State.

Relief in His Hours. Katherine L. Norton, New Bedford, Mass., says, "I had a terrible pain across my back, with a burning and scalding feeling. I took Foley's Kidney Pills, as advised, with results certain and sure. The pain and burning feeling left me I felt toned up and invigorated. I recommend Foley's Kidney Pills." For backache, rheumatism, lumbago and all kidney and bladder troubles, use Foley's Kidney Pills. For sale by all dealers.

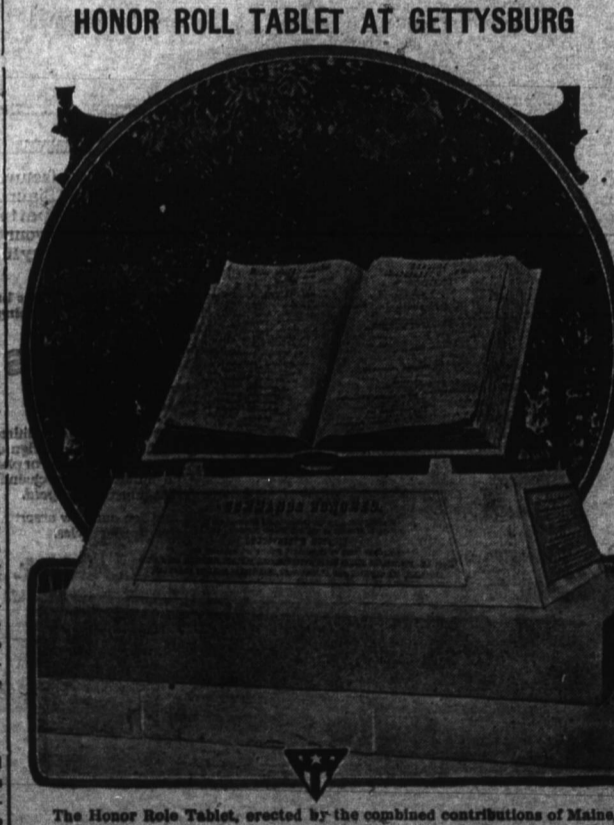
Distressing Kidney and Bladder Diseases relieved in six hours by the "NEW GREAT SOUTH AMERICAN KIDNEY CURE." It is a great surprise on account of its exceeding promptness in relieving pain in bladder, kidneys and back, in male or female. Relieves retention of water almost immediately. If you want quick relief and cure this is the remedy. Sold by Graham Drug Company.

MONUMENT TO 88TH PENNSYLVANIA INFANTRY



Monument erected on the battlefield of Gettysburg, Pa., to the Eighty-eighth Pennsylvania Infantry, Second brigade, Second division, Army of the Potomac.

HONOR ROLL TABLET AT GETTYSBURG



The Honor Roll Tablet, erected by the combined contributions of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, West Virginia, Ohio, Michigan and Minnesota, in honor of the men engaged in repulsing Longstreet at High Water Mark.

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Through Parlor Car for Asheville leaves Goldsboro at 6:45 a. m., Raleigh 8:35 a. m., arrives Asheville 7:40 p. m., making close connection with the Carolina Special and arriving Cincinnati 10:00 a. m. following day after leaving Raleigh, with close connection for all points North and North-West.

Pullman for Winston-Salem leaves Raleigh 2:30 a. m., arrives Greensboro 6:30 a. m., making close connection for all points North, South, East and West. This car is handled on train 111 leaving Goldsboro at 10:45 p. m.

If you desire any information, please write or call. We are here to furnish information as well as to sell tickets.

H. F. OARY, General Passenger Agent, Washington, D. C. J. O. JONES, T. P. A., 215 Fayetteville St., Raleigh, N. C.

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Very Serious

It is a very serious matter to not get one medicine and have the wrong one given you. For this reason we urge you in buying to be careful to get the genuine—

THEOPHILUS BLACK-DRAUGHT Liver Medicine

The reputation of this cat, called the medicine, for constipation, indigestion and liver trouble, is firmly established. It does not irritate other medicines. It is better than others, or it would not be the favorite liver powder, with a larger sale than all other combined.

SOLD IN TOWNS

ARNOLD'S BALSAM

ALL SUMMER SICKNESSES BY GRAHAM DRUG CO.

40 YEARS REPUTATION

Mrs. J. C. Hill committed suicide at her home in High Point Saturday by cutting her throat with a razor. She was in poor health and had previously attempted her life. She was 52 years old and leaves a husband and five children.

SCIENTIFIC AMERICAN

WILLIAMS & CO., NEW YORK