

## Saved Girl's Life

"I want to tell you what wonderful benefit I have received from the use of Theford's Black-Draught," writes Mrs. Sylvania Woods, of Clifton Mills, Ky. "It certainly has no equal for a gripe, bad colds, liver and stomach troubles. I firmly believe Black-Draught saved my little girl's life. When she had the measles, they went in on her, but one good dose of Theford's Black-Draught made them break out, and she has had no more trouble. I shall never be without

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in my home." For constipation, indigestion, headache, dizziness, malaria, chills and fever, biliousness, and all similar ailments, Theford's Black-Draught has proved itself a safe, reliable, gentle and valuable remedy.

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## Popular Talks on Law

### THE DANGERS OF BAD PIE.

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

Resolved, that it was not more dangerous for Caesar to establish electric fan in the basement under the Campus Martius than it is for us to eat pie.

Such is a favorite question for college debaters. It is an evidence of some of the fan that is poked at pie. But pie is a national food, and as such the securing of wholesome pie is a part of the question of securing pure food.

Not long ago the question of pure pie and the legal responsibility of the producer of poor pie became especially important to a Massachusetts man named Wilson. The Wilsons purchased a blueberry pie from a retail dealer and, partaking thereof became very ill. Wilson suffered long ago from an attack of ptomaine poisoning caused from eating pie. He sued the manufacturer of the pie and recovered damages. The pie merchant carried the case to the Supreme Court, only to be beaten again. The court had the following, in part, to say:

If (the pie company) represented by advertisement that it was engaged in making and selling pies which were not only wholesome, but of excellent quality. Apart from any expectation of pecuniary gain or apprehension of loss, it was bound in their preparation to take every reasonable precaution to supply an article of food which would not be deleterious to the consumer's health. The pie being unwholesome, and the dealer free from blame the question is, whether there is evidence from which it could have been found that the plaintiff's injuries were attributable to the defendant's negligence. The selection of the berries, the manner of assorting and preparing them for use, and the large volume of business transacted, are described in detail by the defendant's witnesses. The evidence, however, need not be minutely reviewed. Its essential features, only, are important. It seems that a well defined period of demand for blueberry pies of the defendant's brand had been established in the trade, for which it prepared by buying and keeping on hand large quantities of berries. But as they were not all used when the public appetite slackened or ceased, the unused portion for eight or nine months, or until the succeeding season was thereupon stored in whiskey barrels, where the extent and force of the fermentation caused the heads to burst. The jurors from common experience inferred without difficulty that the fruit as a result of the process had become merely a mass of pulp thoroughly unfit for culinary purposes, and if used might be highly injurious or dangerous. The decomposition, moreover, according to medical testimony, had developed different toxins and poisons, making the berries noxious. If to neutralize or overcome these properties, the defendant, with knowledge of the qualities of the ingredients, desired fresh berries with the product of the barrels, nevertheless, the fact remained that the pies in part consisted of fermented or decayed fruit. It therefore could not have been ruled as matter of law that the agency of fresh berries had counteracted the poisons and caused the compound to be healthful, and the jury, as the judges correctly held, were to determine whether the pie the plaintiff bought and ate had been properly prepared."

Thus we notice that the manufacturer of pie who advertises that he produces pure food owes to the consumer a duty to make wholesome pie, and if he does not do so, and injury results to the person who buys and eats the pie, the producer may be required to pay the damages. This applies not only to dealers in pie, but to dealers in food of every variety and description. The purity of everything that is eaten by humans is of the most vital interest and so comes within the safeguard of the law.

One who sells food at retail knows that he is selling it for consumption, and he is understood as giving assurance to his customers that the article which he sells

is fit for human food. If it is not in a condition proper for human consumption, and he knew of it, he will be held responsible to the person who purchases the food and suffers loss because of its lack of purity. One may also advertise his products as being pure, as did the pie manufacturer in the above case, and he will be bound by what he states in his advertisement to the public. One may hold himself out of the public as a provider of proper food, as does a caterer who places himself before the public as one skilled in providing and preparing food for entertainments and similar occasions. In a Massachusetts case a public caterer was engaged by persons giving an entertainment to serve food and drink, and a person who attended the entertainment was injured because of impurities in the food. The person injured sued the caterer and was allowed to recover.

Not only does the law provide redress for the person who is injured because of impure food, but the national and state governments have enacted legislation with a view to preventing the sale of improper food. It is now generally understood that it is one of the proper functions of government to guard the food supply of its citizens. The power of the government extends to the providing for the inspection of food by public officials. Food supplies may be inspected at the place they are produced, and if unfit, sale may be prevented, or they may even be condemned and destroyed. Both the United States government and a majority of the states provide for a rigid inspection of many classes of foods and give to their inspectors a wide authority in preventing the sale of food not up to the proper standard.

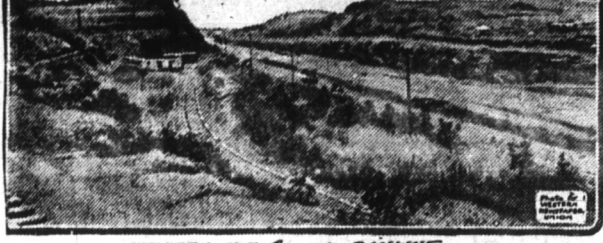
Regulation of food not only extends to preventing the preparation and sale of impure food, but also to protect the public against imitations and adulterants, which may be perfectly harmless. The sale of imitations, as oleomargarine, may be regulated by the government with a view to protect against imposition. The sale of a harmless substitute for a standard article may be made lawful, but the requirement may be added that by coloration, label or other device, the public may be informed as to the exact nature of the product.

The laws which have very generally been enacted against the sale of oleomargarine colored, so that it is an exact counterfeit of butter, have given rise to much bitter litigation. In states such as Vermont, where the butter producers are in the ascendancy, some very stringent laws have been passed. One state enacted a law requiring that all oleomargarine be colored pink. This was defeated in the courts, it being held that the only proper purpose of legislation regulating the preparation of food was to protect the public against impurities, and that requiring a pure and wholesome article to be colored in a ridiculous manner that would in effect prevent its use as a food was not proper. But the laws which now exist in many states forbidding the sale of artificially colored butter is allowed. So when the legislature enacts that colored oleomargarine may not be sold or offered for sale its decision in the matter is final.

Mother of Eighteen Children.  
"I am the mother of 18 children and have the praise of doing more work than any young woman in our town," writes Mrs. C. J. Martin of Boon Mill, Va. "I suffered for five years with stomach trouble and could not eat as much as a biscuit without suffering. I have taken three bottles of Chamberlain's Tablets and am now a well woman and weigh 168 pounds. I can eat anything I want and as much as I want, and feel better than I have at any time within ten years. I refer to any one in Boon Mill or vicinity, and they will vouch for what I say." Chamberlain's Tablets are for sale by all dealers.

On Friday the registration of students at the University had reached 905, and it is expected the number will go to 900. The freshman class exceeds by 40 any similar class in the history of that institution.

## PASSING of the PANAMA RAILWAY



Colon, C. E.—With the completion of the Panama canal the importance of the Panama railway will decline almost to the vanishing point.

For nearly sixty years this railway has been carrying people and freight miles long. It has been, for certain periods, one of the most important and most interesting railroad lines in the world. During the building of the canal, under the ownership of the United States, it has become one of the best equipped and most efficient of railways. It has given great help in the construction of the canal that will prove its virtual death.

The finding of gold in California was the cause of the building of the Panama railway. For long years before the wild rush of argonauts in 1849 the isthmus was almost forgotten by the civilized world, but when the yellow metal was discovered on the west coast it became once more a great trade route. In order to avoid the long trip across the plains in "prairie schooners," thousands of gold-seekers went by boat to Chagres, up the Chagres river to Gorgona or Cruces and thence over the old Spanish road to Panama. This, too, was a long route and in the rainy season a painful and dangerous one because of the prevalence of disease.

To the rescue of the gold hunters came three bold Americans, W. H. Aspinwall, Henry Chace and John L. Stevens. In 1848 these men had asked the government of New Granada for a concession for the road, and in 1850 Stevens obtained it at Bogota. The Pacific terminus could not be otherwise than at Panama, but at first the harbor of Porto Bello was selected for the Atlantic terminus. However, a New York speculator spoiled this plan by buying up all the land about the harbor and holding it at a very high price, so Navy Bay was chosen instead.

When work on the line was begun in May, 1850, there was no celebration, no turning of the first spadeful of earth with a golden shovel.

Two Americans with a gang of Indians landed on Manzanillo island, now the site of the city of Colon, then a desolate, uninhabited spot, and began the tremendous task of clearing the route through the dense jungle. The surveying party suffered intensely, for the land was so swampy and so infested with malaria and yellow fever beads.

completed and solid ground was reached at Gatun. Back of funds now began to hamper the builders. Investors in the states had become discouraged and the cost of labor had advanced. But a hurricane came to the rescue. Two ships loaded with gold-seekers were forced to anchor near Manzanillo island and the passengers paid the company a handsome sum to carry them to Gatun in work cars. The news that the road had carried more than a thousand passengers reached New York and funds again flowed into the coffers of the company.

As the work progressed passengers were hauled longer and longer distances and before the line was completed the receipts from passengers and freight were considerably above \$2,000,000. The last rails were laid the night of January 27, 1855, and the next day the first train passed clear across the isthmus from the Atlantic to the Pacific. The entire cost of the road up to December 31, 1858, had been something less than \$5,000,000 and its gross earnings in the same time were a little more than that sum. The rate across the isthmus was put at \$25 gold, being intended to be to a certain extent prohibitive until they could get things into good running order, but so great was the volume of travel that the rate was not reduced for more than twenty years. Soon after its opening the road began to declare 24 per cent. dividends, and at one time its stock went up to 350.

In the '60s the company fell on hard times. It lost much of its freight traffic, was held up by the politicians in Bogota and then suffered by the completion of the Union Pacific railroad. Next Russell Sage and others like him got control of the directorate and wrecked the road. When De Lesseps came over to dig a canal his company bought up the French company and also acquired the railway and so it became the first American road to be owned by the government. So geographically and efficiently has it been conducted since then that it is cited as an argument for the government ownership of all our railways.

The building of the canal and especially the creation of the artificial Gatun lake made necessary the relocation of the Panama railroad along most of its route. The old roadbed now is under water for much of the way, the old line still in use being only about seven miles in length, from Colon to Mindi and from Corozal to Panama. From Mindi to Gatun the grade ascends to 95 feet above tide level. From Gatun the road runs east until it is four and a half miles from the canal, and then south again on great embankments across the Gatun valley.

Along this stretch passengers obtain an unusual view. Because of the construction of the Gatun dam across the channel of the Chagres river, the Chagres valley and all its tributary valleys have been converted into a lake with an area of about 164 square miles. The Gatun valley is one of these drowned arms and as the train crosses, wide stretches of water are to be seen on both sides of the track. Down below the surface are still visible the tops of giant trees that have been killed by submergence, and along the edges of the lake the tallest and hardest of the trees reach their dead limbs above the water. Here and

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

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## PATENTS

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A damage suit in the amount of \$20,000 has been filed in Salisbury by J. F. Meisheimer, administrator of the late A. R. Meisheimer, killed July 21st by falling from a telephone pole in Salisbury. The action is jointly against the Bell Telephone Company for whom Meisheimer worked as a lineman, and the North Carolina Public Service Company.

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