VIM A DRINK THAT IS MILD

Judge Boyd Decides That it is Not Hurtful

THE ROGERS CASE

Federal Court Quits Business of Trying Small Liquor Matters and Enters Upon a Hot Insurance Suit on Civil Docket

In the Federal Court yesterday the discussion of interest was chiefly whether a concoction bearing the name of "Vim" and manufactured by the Haynor Manufacturing Company of Norfolk, really had any vim in it or not.

Some time ago, noting the vogue of Vim in the land, certain parties procured samples and had them analyzed by the State Chemist, who reported that the fluid was at least potent to the extent of 3.45 alcohol.

Whereupon the deputies and the commissioners got busy with the little country stores and the small soft drink establishments that had been blithely disposing of Vim among their customers without for a moment contemplating the use to which they were exerting in the community was fated to react upon themselves. The purveyors of Vim were descended upon by the score, made to take out Government license at a cost of $25 each and afterwards were hauled first before the Commissioners and afterwards into the presence of the Hon. Thomas R. Purnell, where they were permitted to cringe and pay costs. All told, some fifty persons or more from Johnston, Durham and other counties were put through the chute by their own Vim and taxed anywhere from fifty to seventy-five dollars each, in addition to their licenses, for their trouble.

And yesterday came into the Court Mr. Haynor, himself, whose company makes Vim and, in common with the small store keepers and venders of soft drinks, had been indicted for retailing.

Haynor, however, was not in a cringing mood, but stood up stoutly both for the merit of his beverage and its non-intoxicating effect. Represented by Messrs. Braham, of Durham, and J. C. L. Harris, of Raleigh, he contended that Vim, as it was first prepared did not look even affectionately to King Alcohol for its cheering qualities and that such alcohol as might possibly be found in it by a chemist was such as followed upon the natural course of fermentation in the bottle.

"Why, your Honor," exclaimed Colonel Harris, "a man might drink a barrel of it and never feel it."

"All at one time?" asked the Judge interestedly.

In the end, Judge Boyd, having become convinced that a thing might be named Vim and yet not have any in it, ordered the case dismissed.

The only other criminal matter taken up was Judge Boyd's action in the case of Isaac Roland, an old negro who was serving a sentence in Oxford jail of six months, imposed by Judge Purnell at the December term of the Court. Judge Boyd ordered the sentence stricken out and the prisoner discharged on the payment of the costs.

Rogers Insurance Suit.

The balance of the day was taken up in the trial of the suit of J. J. Rogers, ex-register of deeds of Wake county, against the Pacific Mutual Life Insurance Company.

Mr. Rogers claims about four thousand dollars, alleged to be due him on a supplemental contract that he states he had with the company while he was its agent. According to this contract, he testified, he had the right in case he desired to leave the company to sell renewal rights to his successor, in case he found one acceptable to the company; and, if he left without choosing his successor, he was to be paid by the company for three renewals. Mr. Rogers afterwards left the company. In his testimony yesterday he stated that the supplemental contract referred to had been lost ever since an occasion when he was in New York talking to an agent of the company who was attempting to induce him to change the contract he had. Mr. Rogers testified that he and the agent were in Mr. Rogers' room at a hotel and that he refused to relinquish the contract. During the discussion, he states that he left the room for a few minutes and when the agent had left he was unable to find the contract, which he had had in the room with him.

When Court adjourned Mr. Rogers was still under cross-examination by Colonel Argo, representing the defendant company.

An interesting phase of this suit was the fact that sometime ago the license of the Pacific Mutual was revoked because it had removed the case against it from the State to the Federal Court, but the Supreme Court of North Carolina held that, in litigation between agent and principal, the matter was different from a suit between the company and the insured.

GOT MAD

When Told That Coffee Hurt Him.

One of the evidences that coffee is injurious to the nervous system, is the fact that many persons who are addicted to its use, grow wrathy when the suggestion is made that coffee causes them to "flare up" so easily.

A doctor writes:

"Coffee three times a day—I thought I could not get along without it. I was never well, p[illegible] and often trembled [illegible] tion that coffee wa[illegible] made me furious.

"I noticed the t[illegible] excited was growing [illegible] and feet were cold [illegible] shriveled, liver inactive [illegible] coated tongue, bad [illegible] al lower vitality. [illegible] of caffeine poisoning.

"A friend strongly [illegible] give up coffee and [illegible] tried the change for [illegible] found a marked improvement [illegible] so firm that I tho[illegible] back to coffee. Th[illegible] it but always had to return to Postum.

"Being a physician [illegible] practice and plenty [illegible] was hard for me to [illegible] see could have such a [illegible] fect on my system. [illegible] fondness for the bev[illegible] loath to admit its ill [illegible]

"For several years [illegible] dered hundreds of patients [illegible] tee and have prescribed [illegible] read with good results [illegible] and more prompt results [illegible] medicines." "There's [illegible] Name given by Postum [illegible] Creek, Mich. Read [illegible] Wellville," in pkgs.

To the woman who bakes, Royal is the greatest of time and labor savers. Makes home baking easy, a pleasure and a profit.

ROYAL Baking Powder

The only Baking Powder made from Royal Grape Cream of Tartar

With minimum trouble and cost biscuit, cake and pastry are made fresh, clean and greatly superior to the ready-made, dry, found-in-the-shop variety.

UNTRUTH NAILED

The Governor on a Republican's Suggestion

Says that the Greatest Objection He Has to Grant's Statement is That There is Not a Particle of Truth in it.

Governor Glenn yesterday when interviewed in regard to the statement made in the letter published by Mr Grant, of Davie, suggesting that the Governor publish a certain letter written to the railroads in which he was alleged to have said that the railroad passenger rates passed by the Legislature of 1907 was confiscatory and that the Legislature was wrong.

Governor Glenn stated that the only objection he had to the statement made by Mr. Grant was that there was that "there was not a particle of truth in it." He said he had never written any such letter to the railroads. He had invited, and still invites any one who desires to see his files to visit his office and look at them, and, further, he authorizes any railroad, railway agent, or attorney for any railroad company to publish any letters they hae received from him in their possession purporting to make any such statement as that alleged by Mr. Grant. He said that, while, as everybody knows, he always favored a 2 1-2 cent flat rate and two cent mileage books, yet he never had said that the rate was confiscatory, but, quite on the other hand, has claimed that if a fair test had been made without litigation the railroads would have made more money than they made under the old rate.

COMPLAINT FILED.

Before the Corporation Commission Against the Express Company.

Mr. J. L. O'Quinn, the florist, yesterday filed a complaint with the Corporation Commission against the Southern Express Company. Mr. O'Quinn wishes the express company to carry express on the eastbound Southern train leaving Raleigh at 12:45 o'clock in the afternoon, and on the Southern westbound train leaving Raleigh at 6:30 o'clock in the afternoon.

In his complaint Mr. O'Quinn alleges that his trade with the east and west has been injured on account of the discontinuance of the express service on these trains.

The Corporation Commission has taken the matter into consideration.

SALEM PUBLIC SCHOOL.

Bible and Flag from the Junior Order at Cary.

Yesterday afternoon the Jr. O. U. A. M. of Cary, Wake Council No. 125, presented to the public school at Salem a flag and Bible. The presentation exercises were held in the Salem church. A very large crowd was present. Mr. E. F. Upchurch, of Cary, was master of ceremonies.

Superintendent Z. V. Judd made the presentation address of the Bible. He spoke also on the cardinal principles of the Junior Order. Prof. E. L. Middleton, principal of the Cary Public High School, presented the flag. He delivered a most interesting address on the history of the American flag.

Prof. J. M. White, principal of the Salem public school, accepted for the school the flag and the Bible. He was very happy in his terms of acceptance and a made a very pleasing impression on his audience.

The Salem School is in fine condition. The citizens of this district voted a special school tax in August of 1896.

RESPITE GRANTED.

To Major Guthrie, Negro Murderer of Durham.

Governor Glenn yesterday granted a respite to Major Guthrie, the negro wife murderer, of Durham county, who was sentenced to hang February 20th, and the reprieve expires March 19th.

The reprieve was granted upon the request of Mr. Benjamin Lovenstein, attorney for the murderer. Mr. Lovenstein is endeavoring to have the sentence commuted, and the reprieve was granted so as to enable him to get important letters from several men who witnessed the trial to submit to the Governor.

Hon. W. W. Kitchen will speak at Washington, Beaufort county, on Monday.

The Methodists of Asheville have decided to build a new church to cost 0,000.

DID NOT FIX DATE

Governor Glenn Answers Criticism

Urges the Temperance People of the State to Organize Thoroughly.—He Will Take an Active Part in the Campaign.

Governor Glenn returned from Richmond yesterday, where he delivered a prohibition address before an enthusiastic audience Wednesday night of the General Assembly of Virginia being among his hearers. He spoke on prohibition, and was delighted with his reception there, declaring that the people of Virginia are wide awake to the cause of prohibition.

Governor Glenn, when asked about the charge that the date for the prohibition election had been fixed in the interest of himself and Mr. Locke Craig, answered that he could not speak for Mr. Craig, but that as for himself, he had nothing to do with fixing the date.

He said that the first notice he had of the date was when President Clarkson, chairman Oates and Mr. Vanderford, of the Anti-Saloon League, stated to himthat the date had been fixed for August. The Governor told them that he thought a mistake had been made, as he preferred a short campaign, suggesting April, giving the reasons why he favored that month.

Some of the gentlemen agreed with him, but said that a majority of the members of the League favored August.

The date was afterwards changed to May, and the Governor stated that he did not know of the change until after it had been passed by the Legislature.

Governor Glenn declared that he would be inthe campaign, saying that he had been a prohibitionist all his life and believed that the banishment of the manufacture and sale of intoxicating liquors to be one of the greatest blessings that could come to North Carolina. As a good citizen and the Governor of the State, feeling as he does in regard to the matter, he could not be true to himself if he did not continue just as he has been doing, fighting for the cause of temperance.

He said that he hoped the people of the State would organize thoroughly, for while he believed that the State would go for prohibition still the result would be doubtful if the friends of temperance should fail to do their duty.

The Cary High School.

Superintendent Judd yesterday morning inspected the Public High School at Cary. Going carefully through the class rooms, the literary society halls, and the dormitories, he found everything in good condition. This school, established April 3rd, 1907, was the first County Public High School of the State. It has met with large success this, its first year. The enrollment has reached about 325 pupils. Professor Middleton deserves much credit for so successfully changing the school from a private high school to a public high school.

Cary voted a local tax last May, only two votes being cast against the tax.

WHEN HER BACK ACHES

A Woman Finds All Her Energy and Ambition Slipping Away.

Raleigh women know how the aches and pains that come when the kidneys fail, make life a burden. Backache, hip pains, headaches, dizzy spells, distressing urinary troubles, all tell of sick kidneys and warn you of the stealthy approach of diabetes, dropsy and Bright's disease. Doan's Kidney Pills permanently cure all these disorders. Here's proof of it in a Raleigh woman's words:

Mrs. M. N. Goodwin, on 224 East Martin street, Raleigh, N. C., says: "My back was in an awful condition for a long time. It ached almost constantly, and I had sort of a flashing feeling which run down my limbs, almost as if hot water was poured down them. Reading about Doan's Kidney Pills in our local papers I went to the Bobbitt-Wynne Drug Co.'s store and got a box. Since using them my back has not hurt me and I have been better in every way. They certainly were prompt and beneficial in my case."

For sale by all dealers. Price 50 cents. Foster-Milburn Co., Buffalo, New York, sole agents for the United States.

Remember the name—Doan's—and take no other

SIGHT FOR SORROW

Drunken Young Men in Anson

Mr. T. J. Ratliffe, of Morven, in a Letter Refers to the Regrettable Situation There.

The same condition existing in Anson county, according to Mr. T. J. Ratliffe, exist in many other sections. The following letter from Mr. Ratliffe at Morven is to the point. He says:

"It is with pleasure that I let you hear how I am getting along. I am glad to tell to the world what your treatment has done for me. To express it in a few words, I am a cured man, and am better physically than I have been for ten years. It is a known fact that, notwithstanding the cost of the trip, I am far better off financially than I would have been if I had not taken the treatment there. There is nothing too good for me to speak of Keeley Institute, and at any time I will gladly give the institution by services.

"It is with sorrow that I see so many of our Anson men going on in drunkenness when they could be cured. I have talked with a good many men concerning what my trip has meant to me. You may feel sure that I am a good representative of the Institute, as I have not drank anything nor had any desire to drink since I came home.

"Thanking you for your remembrance, and again assuring you that I will do all I can to send you patients, as well as being a fair representative, I am, yours truly,

"T. J. RATLIFFE."

Names of those who may be benefitted to the Keeley Institute, Greensboro, N. C. Correspondence confidential.

INSURANCE COMPANY SUED.

Mrs. Goodwin Begins Action Against the Germania Life.

Mrs. Luta Goodwin, administratrix of the estate of her late husband, Miles Goodwin, has brought suit in Wake county court against the Germania Life Insurance Company, the action, it is said, involving the collection of life insurance on a policy held by her deceased husband, which the insurance company is said to be resisting.

While the formal complaint has not yet been filed, the case has been docketed, and it is expected that it will be tried at the next term of Wake civil court. Messrs. Shepherd and Shepherd are attorneys for Mrs. Goodwin.

INCORPORATION.

Asheville Social Club Chartered Yesterday.

The British-American Club, of Asheville, was chartered yesterday, the object of the club being social. The incorporators are: H. Petrie, D. R. McKinnon, L. G. Harris and A. E. Eve, all of Asheville.

An amendment was filed to the charter of the Pembroke Planing Mill Company, of Pembroke, Robeson county, the capital stock being increased to $50,000 from $10,000.

DINNER TO DR. ADKINS.

Fire Damages Assessed—Death of Mrs. Pendergraph—Church to be Enlarged—Other News.

(Special to News and Observer.)

Durham, N. C., Feb. 7.—Last evening a dinner was given at the Corcoran Hotel this complimentary to Dr. Merle Theron Adkins, Trinity's new coach. All of the old members of the 1907 team were present, including Captain Suiter and Capt. W. W. Card, the latter being in charge of the gymnasium work. There are a large number of men who are trying to "make the team," and it is the outlook that Trinity will have the best team of years. The work will now begin in earnest. Dr. Adkins, the coach, will remain here for two months and during that time he expects to prepare a team that will give trouble to the college teams of the State and the South. The schedule of games is now being prepared and it will show a fine lot of games to be played on the college diamond. Not only is the outlook bright for the college team this year, but in the Park school, Trinity's preparatory school, had thirty-three men out in practice for the first day, from these being the hope of the college team another year. It is said that in both the college and the Park school there is much fine baseball material.

The insurance adjusters, who were here yesterday at work on the stock of goods owned by W. H. Tyson and badly damaged y fire a few days ago, have completed their work and closed out the deal. Mr. Tyson had $8,000 insurance and the insurance adjusters allowed him $7,300, and the stock of goods were sold in ulk to a salvage company in Atlanta for $2,700. The goods are now eing packed and will e shipped in ulk to Atlanta, where the goods will e offered for sale. Mr. Tyson has not decided what he will do. By the fire and the sale his entire stock of goods have een disposed of. He may go into usiness here again or he may go to the eastern part of the State.

News has reached here of the death of Mrs. Bettie Shepherd Pendergraph, wife of J. A. Pendergraph, who died late yesterday afternoon. Pneumonia was the cause of her death. She had been ill about a week. Mrs. Pendergraph was thirty-three years of age and she left a husband and six children, two sons and four daughters. The funeral will be conducted from the home tomorrow at noon, and the interment will be in the family burying place.

Arrangements are being made for the enlargement and improvement of the Carr Methodist church, East Durham. The enlargement and improvement of the church property will cost about $1,500. Much of this has already been subscribed. General Julian S. Carr, in whose honor the church received its name has contributed $250. Mrs. Gray Barbee, who gave the ground on which the church building is located, has given an organ that is worth $150. Other members of the church have contributed liberally and it is now thought that the entire amount asked for by the pastor will soon be subscribed in full.

Last evening Rev. W. E. Dunnegan of West Durham, officiated in a marriage in Orange county, the contracting parties being Mr. Joseph Johnson and Miss Kate Garrard, both of Orange county. The vows were said at the home of Mr. J. D. Garrard, father of the bride. They will reside in Orange county.

Tonight an interesting programme was rendered at the Conservatory of Music, this being a students recital. The recital began at 8 o'clock. There was a large audience out to attend the event these recitals always being of great interest to those who love fine music.

Messrs. W. G. Bramham and S. C. Brawley, law partners, went down to Raleigh this morning to appear in the Haynor case, now celebrated because so much publicity has been given to the cases in question. This is the case that grew out of the numerous arrests of local parties here for selling "Beerine," and other concoctions that it was afterwards claimed to have contained more than the legal amount of alcohol. The local dealer got out ofthe affair by claiming that the stuff was sold them under certain guarantees and they then paid the government license tax when called for and agreed to quit the business, so far as the State is concerned. The Haynor Company did not get out so lightly. The government have the head of the concern arrested and brought to this State for trial. This is the case in which Messrs. Bramham & Brawley are interested as attorneys.

Mr. P. H. Thompson left here this morning for his home in Salisbury, after having purchased twelve hundred acres of land in this county. The purchase was out near Rougemont. Mr. Thompson is a large real estate dealer and his purchase was in the nature of a speculation. The deal was consummated late yesterday.

A Cup of Coffee

Is satisfying when the coffee is good. Think of what people say about poor coffee. Everybody praises our coffees. TRY THEM.

J. R. Ferrall & Co.

Telephone orders filled promptly.

CHESAPEAKE & OHIO RAILWAY

Scenic Route to the West

TWO FAST VESTIBULE TRAINS WITH DINING CAR SERVICE

Through Pullman Sleepers to Louisville, Cincinnati, Chicago and St. Louis.

Lv. Richmond	2:00 p. m.	11:00 p. m.
Lv. Char'sville	5:20 p. m.	2:52 a. m.
Lv. Lynchburg	4:00 p. m.	
Ar. Cincinnati	8:25 a. m.	5:00 p. m.
Ar. Louisville	11:30 a. m.	8:00 p. m.
Ar. Chicago	5:30 p. m.	7:10 a. m.
Ar. St. Louis	6:45 p. m.	7:18 a. m.

Direct Connections for All Points West and Northwest.

QUICKEST AND BEST ROUTE.

The Line to the Celebrated Resorts of Virginia.

For descriptive matter, schedules and Pullman Reservations, address

W. O. WARTHEN, D. P. A., Richmond, Va.

JNO. D. POTTS, Gen'l Pas. Agent.

SALE OF LAND FOR ASSETS.

By authority of a judgment of the Superior Court of Wake county in special proceedings entitled John C. Hood, administrator of S. A. Richardson, against Lena R. Hood and her husband John C. Hood, and others, I will on Monday the 13th day of January, 1908, at 12 o'clock m. at the court house door of Wake county sell to the highest bidder at public auction for cash, the following described lands situated in Marks Creek Township, Wake county, and bounded as follows:

First Tract: Bounded on the north by the lands of Jos. P. Richardson, on the east by the lands of Jarrett Broadwell, on the south by the lands of Jarrett Broadwell, and on the west by the lands of S. A. Richardson, containing 106 acres, and being a part of the land allotted to S. A. Richardson in the division of the lands of A. W. Richardson.

Second Tract: Bounded on the north by the Raleigh & Wilson road, on the east by the lands of S. A. Richardson, on the south by the lands of Jarrett Broadwell, and on the west by the lands of J. R. Richardson, contains 103 acres, and being the same land conveyed to S. A. Richardson by J. R. Nowell and wife.

Both of said tracts of land adjoin each other and contain about 65 acres of pine timber land. Said land is about 1 1-2 miles east of Wendell, N. C., and about 1-2 mile from the Norfolk & South Railroad.

JOHN C. HOOD, Commissioner, Wakefield, N. C., R. F. D. No. 1. Sunday- Wed 1 mo.

A Fair Complexion Is Worth Keeping

If your complexion is worth keeping at all, it's worth keeping well. That's why you should use

REXALL Cream of Almonds

a delightful preparation of the highest efficiency in softening, soothing, healing by preserving the skin. Renders the complexion fresh and free from blemish. Keeps the hands soft and white; absolutely pure, free from all grease or oil—and will not soil clothing. Sold with the Rexall Guarantee. Price 25c. Per Bottle.

KING - CROWELL DRUG COMPANY

FAYETTEVILLE AND HARGETT STREETS

Old Remedy. New Form.

NEVER KNOWN TO FAIL.

Tarrant's Extract of Cubebs and Copaiba in

CAPSULES.

The tasteless, quick and thorough cure for gonorrhoea, gleet, whites, etc. Easy to take, convenient to carry. Fifty years successful use. Price $1, at

W. H. King Drug Co., Raleigh, or by mail from the Tarrant Co., 44 Hudson street, New York.

HOTEL ST. DENIS

BROADWAY AND 11TH STREET NEW YORK CITY.

Within Easy Access of Every Point of Interest. Half Block from Wanamaker's. 5 minutes' walk of Shopping District.

NOTED FOR: Excellence of Cuisine, Comfortable Appointments, Courteous Service and Homelike Surroundings.

ROOMS $1.50 PER DAY AND UP

EUROPEAN PLAN.

Table d'Hote Breakfast 50c.

WM. TAYLOR & SON, Inc.

ALSO HOTEL MARTINIQUE, Broadway & 33rd Street.

Executors Notice.

Having qualified as Executor of Lucy C. Capehart, deceased, late of Wake county, N. C., this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned on or before January 15th, 1909, or this notice will be pleaded in bar of recovery. All persons indebted to said estate will please make immediate payment.

This 11th day of January, 1908.

BEN M. MOORE, VAN B. MOORE, Executors.

I wk-6 wks.

ADMINISTRATOR'S NOTICE.

Having qualified as administrator on the estate of the late N. B. Bryan, of Wake county, this is to notify all persons indebted to said estate to make payment to me and all persons having claims against said estate will present them to me on or before the 25th day of December, 1908, or this notice will be pleaded in bar of their recovery.

A. J. BRYAN, Adm'r.

12-29-1aw-6w.

NOTICE BY EXECUTORS.

Having qualified as executors of the last will and testament and codicil thereto, of Elizabeth Grimes, late of Raleigh, N. C., the undersigned hereby notify all persons having claims against said Elizabeth Grimes to exhibit the same to William B. Grimes as such executor at Wake County Savings Bank in Raleigh, N. C., on or before November 12th, 1908, or this notice will be pleaded in bar of their recovery. All persons indebted to said Elizabeth Grimes are hereby notified to make prompt payment to said William B. Grimes as such executor.

This November 9th, 1907.

WILLIAM B. GRIMES, S. F. MORDECAI, Executors of Elizabeth Grimes, dec'd.

MILEAGE BOOKS.

The Seaboard has placed on sale 1,000 mile interchangeable books for $22.50 limited six months, good only for local travel in North Carolina on the following roads:

Seaboard Air Line Railway, Southern Railway, Atlantic Coast Line, Carolina and Northwestern, Aberdeen and Asheboro, Norfolk and Southern, (Beaufort Division), Danville & Western.

C. H. GATTIS

Reduction Sale

Just One Suitor

Overcoat

That will fit or suit YOU

We haven't many but just enough to fit you out in the best of fashion and at prices that will astonish you—the truth is, we want the money and the sacrifice is your gain. These are plain facts, come and be convinced. The reduction embraces FURNISHINGS as well as CLOTHING.

CROSS & LINEHAN CO.

UP-TO-DATE CLOTHIERS & FURNISHERS

Soda Crackers with *crack* to them
Soda Crackers with *snap* to them
Soda Crackers with *taste* to them

Uneeda Biscuit

Oven-fresh—Oven-crisp—Oven-clean—

5¢ *In dust tight, moisture proof packages. Never sold in bulk.*

NATIONAL BISCUIT COMPANY