

FOOD COMMISSIONER SLATER IS ARRAIGNED BY A PRESERVE HOUSE

Charged by the Oldest House of Its Kind in the Country with Lack of Business Courtesy, Star Chamber Methods, Vindictiveness and Persecution, Which the Company Claims Have Seriously Injured Its Business.

Instead of Answering Letters, He Rushes Into Print, Publishes False Statements and Bulletins, and Refuses Common Justice to His Victims.

Has Loaned Reputed Products of This House for Display at Public Fairs, Branding Them as Illegal and Injurious to Health, and Has the Same Ticketed and On Exhibition at His Headquarters.

Gordon & Dilworth of New York City Defend Themselves Against His Attacks and Make Counter Charges—They Publicly Repeat a Challenge Which They Have Twice Made Him, and Which He Has Refused to Accept.

They claim he disgraces his position, and deny using coloring in their preserves, and if the goods examined are their make, the state analyst is at fault and don't understand his business, and that if the coloring is there, the goods are counterfeit and not their make. No other alternative.—Prepared to meet the commissioner in a fair and free inspection and analysis of their preserves bought on the open market and by conjoint investigation, which he has declined, and still he continues his persecution.

New York, July 9, 1906.

Dear Sir:—We have been in the preserving business for sixty years. Have always had a national and even an international reputation for quality of the highest grade, and this has been our pride. Many American families have used our preparations for three generations, and to them our brands are household words.

Having been most discourteously, unjustly and even brutally treated by the Dairy and Food Commissioner of Minnesota, Mr. Edward K. Slater, who has the advantage of being in a position of power to do as he pleases, which advantage and power he has made use of in the most persecutive and vindictive manner, we are driven to protect ourselves by a public statement of facts, and to strive to reach the consuming public of your state by the most thorough publicity possible, not being able to obtain any satisfaction from the department, in the present state of mind of its chief.

We give herewith a true statement of matters as they stand to date. We received the following pro forma notice from the Dairy and Food Department: STATE OF MINNESOTA, Dairy and Food Department, St. Paul, Feb. 23, 1906.

Messrs. Gordon & Dilworth, New York.

Gentlemen:—On Jan. 23, 1906, Inspector I. G. Fowler took from the stock of the C. S. Brackett company, Minneapolis, a sample of Preserved Blackberries, which has been analyzed and classed as illegal by our chemist. Sample is colored with coal tar dye.

Yours respectfully,

Milton Trenham, Sec. A few days later we were advised by the C. S. Brackett company of the same fact, and that the commissioner intended to prosecute them, and wanted to know if we would stand suit or plead guilty. Our books for five years back showed no purchases of Blackberries by this house, and we promptly informed it that we should do neither, and if it had any such old goods on hand, it should be ashamed to have offered them, if it had any regard for its reputation, independent of brand; that our responsibility had long since ceased and we were not accountable for what might have happened in that period.

To the commissioner we promptly replied, stating that there must be some mistake either in sample, confused laboratory, or error in founding a natural with an artificial color; that we had no need for color in blackberries and have never used it; that we had had since the past by prominent parties, but in no case was anything found on revision of analysis, but what was natural to the fruit; that we were parties in securing the passage of the present New York food law, upon which all others have been based, in many cases the laws being almost word for word the same in the original act; that we had long been inoperative apparently, maybe for lack of appropriations, or possibly in some cases due to "honest graft"; that the war was now on and we had to raise money for the investigation and hoped that more might result than political clap-trap, and that we might live long enough to become something else than a nation of "honest grafters" and "moral perjurors."

Repeating our denial of ever having used the color charged or any other, as it would be ridiculous, being an unnecessary expense, we invited further expressions.

We waited till April 4, 1906, and no reply coming, we then wrote, calling attention to our unanswered letter and also advising him of the fact that one of his agents had entered the store of H. W. Kingsbury at Winona and informed the proprietor that our preserves were undoubtedly illegal, so that Mr. Kingsbury was impelled to write us to know what disposition he could make of them.

This letter was answered by Commissioner Slater on April 19, 1906, asking for definite information, as they had no record of any condemnation at Winona, but made no reference to the important matter of the original charges and our letter of February 28th, which we knew had been received and had later been referred to by him. For our own satisfaction we registered each letter, getting receipts from addresses.

We replied on April 25th, giving him all the information we had, and requesting him to communicate directly with Mr. Kingsbury.

On May 3rd Commissioner Slater replied he would do so, but still no response to our letter of February 28th, 1906.

About this time a friend gave us a copy of the Minneapolis "Journal" of March 17, 1906, in which appeared a cross between a report and an interview of a most damaging nature to our reputation, and from which we quote: "The state chemist found a red aniline dye in a jar of their (Gordon & Dilworth's) blackberry jam. The retailer called on the manufacturers, who refused to take it off his hands, and said the state department was either mistaken or 'grafting.'" We did refuse to take back the goods for the reasons already stated; we did say that there was certainly a mistake due to one of several possible reasons, but it is unquestionably false that we charged 'grafting.'

Mr. Slater is also quoted as saying that "he had a thorough test made, proving beyond doubt that the article contains coal tar dye," and that he would "issue a bulletin stating the facts, as there is no other way the manufacturer can be reached."

His letter to me Gordon & Dilworth state that Dr. Wiley of the department of agriculture, and also the Montana commissioner had been compelled to back down after declaring that the matter is not to blame, and as the manufacturer will not stand back of a case, the only thing I can do is to put the trade in possession of the facts, and notify dealers that the article is illegal.

Now, for diabolical perversion of the truth, this takes the palm. What he did say was: "As we have not had need of using any color whatsoever in our preserves bearing our label, now or at any time in our career, it is in order to refer matters back to you for revision, and if none of the errors above indicated have been committed, then you may have an opportunity for scientific investigation, like our friend, Dr. Traphagen (analyst of Food Dept., Montana), and when he charged us with preserving catsup, jelly, red currant jelly with salicylic acid, and previously Dr. Wiley (chemist of the Department of Agriculture), when charging the same in regard to our okra and tomatoes." Later knowledge on the subject showed them that salicylic acid was common in all of the named fruits, and could not be isolated from the product in sufficient quantities to prove its artificial admixture.

Now the facts are that a good many years ago the United States bureau of chemistry did issue a bulletin showing that the okra and tomatoes packed by us and other houses contained salicylic acid and that a few years ago the Montana food department stated the same fact in regard to our red currant jelly and tomato catsup. As we did not put it there we know, if found, it must have been natural.

We did not take up the matter with the United States bureau of chemistry, as it did not come to our attention till long after publication, when we were advised that later knowledge on the subject showed salicylic acid to exist in the matter ended, as Dr. Wiley had not pronounced the goods illegal and no special publicity had been given the article and no injury ensued.

In the case of the Montana food commissioner it was a little different. We asked for a revision and were treated like gentlemen by a gentleman; their chemist, Dr. Traphagen, a man of culture and high attainments in his profession, admitting an injustice had been done owing to the analysis having been made only qualitatively instead of quantitatively. He wrote us on the subject, apologizing for the unintentional wrong done us, and corrected the bulletin in the very next issue. Now all this is a matter of record, and can be seen in Bulletin No. 38 of the Montana agricultural experiment station, Bozeman, Mont., Oct. 1, 1902, at pages 10 and 16.

Hence we think if Chemist Horton "talked with both men and tells me that they more emphatically did not back down from their rulings," there must be a little Ananias work somewhere. We did not use the word "back down." We said "revision," and that Dr. Traphagen certainly accorded us, and we challenge Chemist Horton to show in writing a statement from the doctor denying his revision and publication of the same. There was no occasion for Dr. Wiley's part to revise, as we never asked him, having gotten the information when the matter was cold and the facts generally known of the natural presence of the acid in the vegetables named.

Again, by courtesy of a friend, a copy of The Food Law Bulletin of Chicago of April 16, 1906, came into our hands, in which appeared a letter from Commissioner Slater, dated April 10, 1906, devoted entirely to the blackberry jam case, heaping insults upon us and bringing in the honored names of Dr. Wiley and Dr. Traphagen, as the basis for attempted subject them to ridicule. For these gentlemen we have too much respect, having been brought into contact with both of them in the lines of their profession, but candor compels us to say that the same Mr. Slater and his chemist, Mr. Horton, are putting themselves in a very ridiculous position by their words and acts, as set forth in the following extract from the letter just referred to:

"I have personally examined this sample for coloring. There is a large amount of coloring matter not natural to blackberries; the sample contains artificial coloring matter. I am obliged to class the color as of coal tar origin. Our law prohibits any kind of added coloring matter."

What a confession of weakness! He has charged us formally with using coal tar color, and now virtually admits that he doesn't know what it is, but is obliged to class it as of coal tar origin.

This letter further says: "A complaint is ready awaiting the next visit of a representative of this firm to the state," and "I have called attention to this case at length for the purpose of demonstrating the tactics pursued by some manufacturers in placing their goods on the market and also to caution dealers against buying supplies from outside parties who will not stand back of their goods."

us to solve the mystery. No duplicate state was obtainable from the dealer, and the goods were very old and we very suspicious.

The neglect of over two months to reply to us and yet have time to issue bulletins, give interviews and write column long letters to newspapers about us made our blood boil. It was so different from what we had been used to from parties in high office that on May 1, 1906, we wrote Mr. Slater a plain, straightforward letter reviewing matters, asking questions and demanding that he make response. While insisting, we were not discourteous, but endeavored to impress our belief that he was not acting justly by us, as the whole matter turned upon one small jar of very old goods, and it was not yet shown that we were the issuers of the goods in the form his agent bought them. The contents might have been eaten by some clerk or porter and replaced by cheap pail goods, or the bottle filled by second-hand goods, there being no evidence of the goods having been purchased from us.

We furthermore offered to appoint a chemist in connection with his to go on the open market, buy preserves of any kind of our brand in any quantity; to send a representative to Minnesota to identify the goods, and pay all the expenses if any coloring matter beyond that natural to the goods should be found by the two chemists working together. Furthermore, we agreed to pay the cost of samples and transportation, and the goods could be ordered from any city in the United States.

Well, this at last brought an answer, very short, very evasive of the main question and declining our proposition for a joint analysis, and advising us to take lessons in business ethics, viz: that from a man who had given no evidence of his ability to write one to us himself up to that time, but who sought to shift the responsibility of his own bad business to us. We might probably have let the matter rest there, however, for an extensive harm it might do us, our word with our patrons being still honored, and our wares not used except by the most select and fastidious trade, and it had not been for another high-handed and unwarranted exercise of a little brief authority.

Our friends again advised us of a fact, that we had since verified, viz: that in the collection of condemned goods at the dairy and food department headquarters are three jars of preserves now instead of one of our reputed make—cherries and raspberries in addition to the original blackberries, marked and numbered on tickets, stating them to be illegal and injurious to health, owing to being artificially colored. We have never been notified of these additional jars, and we should make the same affirmations and denials in regard to them that we did concerning the blackberries. But what is worst of all, and which, if true, we think transcends all else, is that he is reported to have loaned these samples to certain fairs or public exhibitions for display, where they have been placed in large type and used to do an injury.

There is no use in writing to him any more. He appears incapable of grasping the subject and knowing how to perform the duties the people of a great state are taxed to pay and his assistants for, and we must get justice in any way open to us; therefore, we desire to speak from the hilltops so loud that all may hear, and to back up our words by our willingness to be tested by the severest methods known.

First—We state that in no preserves which we issue under our brand is any artificial coloring used. This naturally includes those varieties claimed to have been analyzed by Chemist Horton, and it therefore follows that either the analyst has made a mistake of some kind, or the original contents have been replaced by an inferior grade, the jars have been used by somebody a second time without removing the labels, or we are the victims of a conspiracy. We should not, in these last occurrences, have nurtured any such suspicion, but merely attributed the failure of the commissioner to do what was plainly his duty to some reason inscrutable to us, without raising the question of his honesty, but we confess that circumstances are making us suspicious, for we know whereof we speak, and we don't use artificial coloring in our preserves. It would be not only unnecessary but ridiculous, as it adds to the cost, the fruit when used straight and with cane sugar (our only way of preserving) having all the color retained.

Second—We challenge Mr. Horton to make affidavit that the goods he examined were of our pack and that the coloring found was identical to the original coal tar dye. It won't do to say the jars bore our label. He must know them to have been, when he received them in the same condition as when they left our factory. Otherwise the commissioner had no right to go ahead and issue bulletins, give interviews and write letters for publication, making a special case of us, without first exhausting his recourse to the manufacturers. The burden would then have been on the dealer. We would gladly have met him and helped him in every way, even by sending a representative to Minnesota, had he been willing to us direct instead of by the stab-in-the-back method he employed, and which disgraces the position he

holds, and should forever cause him to be regarded with distrust. We have had many discussions and controversies with food departments and chemists in different states. Never yet have we been compelled to eat our words. Our correspondence has been courteous, and in all cases where we have been charged with improper practices or adulterations those charging have graciously admitted their error and acted like gentlemen should. This man falsifies facts and evidently tries to injure us still more by the unwarranted and rude manner in which he handles respectively names like Doctors Wiley and Traphagen.

In closing we beg to say we shall be pleased to answer any inquiries from any source, and shall give this letter the widest publicity possible. We don't think Minnesotans are behind other Americans in love of fair play, and all we ask is even-handed American justice.

We now repeat the challenge we made Commissioner Slater and which he declined. It is still open, and if he is a man of honor he will accept. The offer is also open to the dairy and food departments of any state in the union.

It is as follows: We will appoint a chemist to act in conjunction with Chemist Horton. The two are at liberty to examine any of our preserves in any market in the United States from Bangor to Seattle, from New Orleans to San Francisco, provided they are not antiquated and are in the same condition in which we sent them; we will pay the cost of the samples and the transportation and send a representative to Minnesota to examine and warrant their genuineness, and if any coloring is found, we will pay the expenses of the chemist also. Should, however, the result be in our favor, the department must pay for the samples and their own chemist. We will pay for our chemist.

We demand this as a right and an act of justice, and should also in the last case expect—although not a condition of the challenge, but as a matter of knowledge he had been premature, and even though there had been coloring matter found in the jar, yet no proof existed of our having put it there or of the goods being in his hands, but we object to being the victims of false statements publicly made by officials who are proven derelict in their duty. We leave our case in the hands of the thinking public, assuring them that we stand behind all our goods sent into the state. Very respectfully, Gordon & Dilworth.

"Low Rates Via the Soo Line." \$16.75 to Detroit and return via the Soo Line. \$17.50 to Toledo and return via the Soo Line. \$18.25 to Cleveland and return via the Soo Line. \$20.25 to Buffalo and return via the Soo Line. For further particulars inquire at ticket office, 119 Third street S.

PREST. SMITH WON DISTINCTION EARLY

Head of Minneapolis Park Board Was "an Honest Carrier," Says an Old Newspaper.

SOMETIMES when a kind friend takes over the ashes of one's youth, it is to the entire discomfort of the person to whom that youth was once attached, but such is not the case of the alumnus, venerable "Fred" Smith, president of the board of park commissioners and high officer in the Lodge of Good Fellowship.

Mr. Smith is one of the oldest settlers. In fact he has been of the community for so many years that he is popularly supposed to have first seen the light of day here, whereas the popular village of Lee, Maine, is the place of his nativity. For the benefit of the unenlightened, Mr. Smith states that in the past fifty years Lee has lost one barn by fire and added a brick chimney thru the enterprise of one of its residents.

It is Dr. W. W. Folwell of the board of park commissioners and the University of Minnesota, who has added to the historical data surrounding Mr. Smith's remote past.

In the very old days there was published by Croft & Clark, at what is now the corner of Maine street and Third avenue SE, in the identical building now occupied by the Union Trust works, the Minnesota Republican, a newspaper of sainted memory.

The other day Dr. Folwell was poring over the dusty files of this ancient publication and ran across the following luminous item on the local page of the issue of Oct. 23, 1857:

"We have been very unsuccessful in trying to get reliable boys to carry our paper. After great exertions we have, coming supplied with the weapons thru importation, the taking of arms into the state of Sonora is against the Mexican law and all of the rifles were confiscated. Mexican miners at Cananea are showing great restlessness as the result of the work of agitators and a new outbreak is feared. The Mexican troops have been reinforced."

El Paso, Texas, July 14.—Over 250 stands of repeating Winchester rifles, which miners at Cananea had smuggled into Mexico hidden in loads of alfalfa, have been captured by Mexican troops. The arms were being imported into Cananea for the purpose of providing arms for another outbreak, which is said to be threatening. The wagons were stopped fifteen miles south of the border. On account of the Yaquis be-



FREDERICK SMITH, As He Appeared When He Carried the Republican.

at last, procured an honest carrier, Master Frederick Smith, for our route in lower town."

The accompanying picture of "Master Frederick Smith" was taken at about this period of his honesty.

Vacation Trips for Hot Weather. See Mr. G. F. McNeill, Agt. N. P. Ry., No. 12 Nicollet House block. Have him arrange a trip to the Yellowstone National Park and Pacific coast, or a trip via Duluth and the Great Lake steamers. Call and get the Tourist publications.

NOISY, HUNGRY FROGS SADDEN FARMER'S LIFE

They Scare His Cattle and They Also Eat His Flannel Shirt.

Reading, Pa., July 14.—On the farm of Alvin Shoemaker, near Seipstown, there is a pond in which big frogs fairly swarm. Harry Wieder, who hunted for them there yesterday, bagged sixteen, not one of which weighed less than a pound.

For years the Shoemaker farm has been noted as a frog resort, and Mr. Shoemaker always welcomes the hunters with open arms, as he declares the frogs have become a pest. He does not favor the Quibble law for protecting frogs, as they have become a pest on his farm.

He wants the frogs killed off, as their croaking scares his cattle when he drives them to water. Last year the frogs raided his strawberry patch and devoured the entire crop. The year before they got into his summer house and ate a half-dozen of his best flannel shirts, which lay there in the wash basket.

FALLS 2,000 FEET

Cyclist Pitches Off Precipice to Horrible Death.

Geneva, July 14.—A terrible accident occurred at the Gorge of Aa, a favorite excursion rendezvous hunters near Caran in the Canton of Obwald.

A Swiss named Rothlin delayed his return journey to Sarnein from the Melchthal valley, which he had been visiting on his bicycle, and was overtaken by the night. In the darkness he lost his way and rode out on the road which leads to the gorge and ends abruptly at a precipice nearly 2,000 feet in depth.

Rothlin, who must have been going a good pace, crashed thru the wooden barrier at the end of the road, and was flung with his machine into space. Next morning the body, which was unrecognizable, was recovered from the gorge. The victim leaves a wife and large family.

PAID \$1,000 FOR AN 1804 DOLLAR. New York, July 13.—Thomas L. Elder of 32 East Twenty-third street bought yesterday an 1804 dollar. He paid \$1,000 for it. It was one of a collection of Major William Wetmore's which was sold in Philadelphia on June 26, 27 and 28. A Mr. Chapman bought it there for \$720, and Mr. Elder bought it from him. It is said that only six 1804 dollars are in circulation.

IMPORTING OF GUNS INDICATES A REVOLT

More Than 250 Stands of Winchester, Which Were Smuggled Into Mexico, Confiscated.

El Paso, Texas, July 14.—Over 250 stands of repeating Winchester rifles, which miners at Cananea had smuggled into Mexico hidden in loads of alfalfa, have been captured by Mexican troops. The arms were being imported into Cananea for the purpose of providing arms for another outbreak, which is said to be threatening. The wagons were stopped fifteen miles south of the border. On account of the Yaquis be-

HELPFUL CREDIT

There is not one man in a hundred who can have a home of his own if he is obliged to pay cash in full, save by long and laborious saving. Accordingly we establish the home for him, place the furniture therein, and let him pay for it a little at a time according to his means. Our contracts contain no mercenary or arbitrary features. They impose on no one who falls ill or loses his position. Payments suspend when accidents or illness occur, and no one is expected to pay anything when he can't, or when pressing necessities arise. We show a greater assortment to choose from than all the other Twin City home furnishing stores, and

You Pay No More for Boutell's Good Furniture Than Others Ask for the Cheaply Made Kind.

Buffets **Genuine Leather Couch**

Special sale this week of mahogany, golden and weathered oak Buffets, all the Grand Rapids make, at \$15 \$18 \$20 \$25 \$30 \$35 \$40 \$50. Special Easy Terms of Payment.

Karpen construction, upholstered with hair and moss, covered with genuine A-1 Sterling leather. This is an extra large couch and at the price asked is the biggest bargain we have ever offered. Monday only \$35.00 \$5 down and \$1 the week.

Seeger Syphon Refrigerators. **Insurance Gasolene Stoves**

Young people going to house-keeping receive special terms and attention.

Important Notice: Young married people and those who intend going to housekeeping should send us their names and addresses at once, and we will mail them something worth 10¢. Don't miss absolutely free.

Dining Chair

See our beautifully furnished flats on 2nd, 3rd and 4th floors.

Carpet and Rug Dept.

You don't take any chances when you buy an Insurance Gasolene Stove. They come at \$10.50 \$12 \$15 \$16 \$18 and \$20.

Box seat, polished wood, finished in golden oak; worth \$3.50. Monday only \$2.25 8 to a customer only.

Lace Curtains and Draperies That Challenge Comparison.

Make a tour of all the Minneapolis Drapery Departments if you wish before coming to Boutell's. Then go calmly through the vast assortment here and if you do not instantly proclaim ours the bright particular star of them all, you will simply be registering yourself an exception to the general rule.

House Decorations

We invite correspondence from architects and owners especially, regarding the complete decoration and furnishing of new homes. As importers and retailers of the most exclusive things in Furniture, Draperies, Lace Curtains, Wall Paper, Art Objects and Decorative Materials, we offer an exceptional service not to be duplicated elsewhere.

BOUTELL BROTHERS

ESTABLISHED IN 1871. Largest Home, Hotel and Club Furnishers in the Northwest. A Minneapolis Institution Owned by Minneapolis People.