

THE FALSE AND FRAUDULENT ENIGMA.

One of the alleged weaknesses in the present law is the phrase, "false and fraudulent." This phrase constituted a part of the amendment enacted to cure the defect pointed out by the U. S. Supreme Court decision. Neither Dr. Wiley nor I looked with favor on this amendment, we questioned its enforceableness, but the committee in its report H. R. 1138, 62nd Congress, 2nd Session, 1912, held that the phrase has a well-defined meaning in criminal law, that fraudulent means a deliberately planned purpose and intent to deceive and that it is easily susceptible of proof, which proof the Government is required to establish, by the facts and circumstances in each case. It was stressed at the hearings that intent must be proved, that the phrase "false and fraudulent" was essential to meet the decision of the Supreme Court and to make this part of the law constitutional. Even though specific proof of intent is not always easy, the committee felt that the Shirley amendment best met the Supreme Court decision, and the views expressed by President Taft in his special message to Congress and recommended its enactment. Senator McCumber used the phrase "false or fraudulent." Apparently lawyers differ. The Shirley amendment was made part of the law.¹ It must be said that this amendment served a useful purpose in curbing many unworthy curative claims and representations. Some culprit may escape punishment under this amendment by technicalities, but we must have an abiding faith in the old-time principle that "a person is presumed to be innocent until he is proved guilty."

There seems to be an idea abroad that the present advertising is the worst ever. This is erroneous. The enforcement of the food and drug law, the postal law and the Federal Trade Commission act have made wonderful changes. If anyone doubts it let him go back thirty years and satisfy himself or just read the flamboyant advertisements included in the Richardson Hearings.

May I further call attention to the fact that the pharmaceutical profession has for many generations contested adulteration and untruthful advertising.

THE STABLER-LEADBEATER APOTHECARY SHOP,
ALEXANDRIA, VA., 1792-1933.*

BY ELEANOR LEADBEATER.

(IN COLLABORATION WITH THE LATE EDWARD STABLER LEADBEATER.)

When, in 1792, young Edward Stabler borrowed from an uncle a hundred pounds in order to buy stock for the apothecary shop he planned to operate, he did not realize he was establishing a business in which his descendants would continue for the next one hundred forty-one years. Records do not tell us what feelings of uncertainty he may have harbored in relation to his venture, but they do show that his business prospered to such an extent that he was able to return the loan and double his stock of goods during the first year.

The original bill, dated June 1792, came from Townsend Speakman of Philadelphia and contained about one hundred fifty items, amounting to 120 pounds,

¹ U. S. Stat. at L. 37, 416 (1912).

* Owned by the AMERICAN PHARMACEUTICAL ASSOCIATION.

10 shillings and 6 pence, or, as was written underneath, 96 pounds, 2 shillings and 3 pence in Virginia currency. Three of the items listed are still extant. They are, two very heavy marble mortars and a quart flint glass bottle bearing the inscription "Spt. Nitre." This bottle had been in constant use ever since the founding of the business, until 1933 when the doors were closed behind the last customer and the store ceased to function as a pharmacy.

It is not surprising that during those earliest years of the store's history, General Washington, whose business and friendships often called him to Alexandria, frequently dropped in to talk with Edward Stabler and to purchase supplies to restock the medicine chest at Mount Vernon, where he had the welfare of his slaves as well as that of his immediate household to consider.

That his widow continued the estate's dependence upon the Alexandria apothecary is attested by a note in her handwriting, dated "Mount Vernon, April 22nd, 1802." It reads:

"Mrs. Washington desires Mr. Stabler will send by the bear'r, A quart bottle of his best Castor Oil and the bill for it."

An interesting entry in one of the old ledgers, under date of December 7, 1799, records the purchase by Dr. Elisha Dick of one pound of Glauber Salts. As this date was just eight days before General Washington's death and as Dr. Dick was one of the physicians who attended him in his last illness, it seems very probable these salts were given the illustrious patient.

Many letters and orders sent Edward Stabler from George Washington himself have unfortunately been lost, as these were given to various persons instead of being kept in the files of the business.

There are, however, other documents that show the Washington family's connection with the store, one of which, from the General's nephew, Judge Bushrod Washington, who inherited the Mount Vernon estate, is as typical of a period when every second was not utilized at a break-neck pace, as are the candles, the lumbering coaches, and the powdered wigs that represent for us that adolescent period of America's growth. Judge Washington wrote:

"Respected Friend.

"Above is a check for 77.9 amount of your account, which ought much sooner to have been attended to. In future I will thank you to send it to me more frequently, at least once a year.

"Respectfully,

"Bush. Washington."

Also representative of a leisurely era is the correspondence between the good apothecary and the London firm of Allen & Howard. In a letter written in 1801, Mr. Stabler ordered:

"One medicine chest, complete with weights, scales, bolus knives, etc. I want this to be of mahogany of good quality, as it is for the granddaughter of the widow of General Washington, the cost to be about twelve guineas."

It was not until the following year that Allen & Howard billed the apothecary for a "mahogany, folding door, medicine chest complete" at 11 pounds, 11 shillings, and shipped it on the sailing vessel Union, Thomas Woodhouse, master.

A much less formal evidence of a long-continued friendship is found in the name, scrawled on the white plaster of one of the interior walls of the vault, of one

of the great-great nephews of the Father of His Country. Several of this generation of the family owed their early business training to a boyhood connection with the store in which he traded. Two of these nephews are now druggists in West Virginia.

Over half a century passed between the days when the first president chatted with his Quaker friend, Edward Stabler, and those later days when, in his place, another great general frequented the little store to discuss national and local events with Edward Stabler Leadbeater, the grandson of the founder. Here was another military man closely leagued with a peace-loving Friend. However, the relationship seems not so paradoxical when one considers the gentleness, simplicity and sweetness of character of Robert Edward Lee.

One of these tranquil talks, however, was fated to experience a momentous interruption. A messenger, of whose identity as J. E. B. Stuart, afterward Lee's chief of cavalry, contemporary records bear witness, entered the store with news of John Brown's raid. Lee, still an officer in the United States army, was ordered to go at once to Harper's Ferry to quell the rebellion.

"I am afraid," he said, "this is only the beginning of more serious trouble."

The correctness of his conjecture was evidenced all too soon and, before many months, Alexandria, a town whose sympathies were almost entirely with the South, was occupied by Union troops. Husbands and sons marched away to fight for that which, after four bitter years was to become forever, "The Lost Cause."

A conquered town has, perhaps, more to tell in after years than has a besieged city, so that stories of those days in Alexandria are numerous, but the particular one that affects the Leadbeater drug store has to do with the unwillingness of the owner to take the oath of allegiance to the United States.

Because his religious scruples forbade his joining the Southern army, Edward Stabler Leadbeater remained at his business when many of his neighbors marched off to the war. Yet his sympathies were entirely with the South and he could not force himself to submit to the edict that, unless their clerks took the oath, all business houses should be closed. However, Mr. Lewis Mackenzie, a Union sympathizer and Justice of the Peace, declared he would trust no one but Ned Leadbeater to put up his prescriptions so, oath or no oath, the store must not be closed.

Besides the Lees and Washingtons, another family of national importance, particularly through its marriages into the former two, the Custis family, also, dealt with the Stabler-Leadbeater firm.

An interesting letter from George Washington Parke Custis has been preserved. This letter, written, on April 8, 1818, reads:

"My Dear Sir:

"Not being able to command cash at this time from the heavy expense of my building, I enclose my note agreeable to promise. I am duly sensible of the politeness and liberality I have always received from you and I have to express my acknowledgment, also for the very excellent articles always received from your house and with perfect esteem for your personal character, I am, Your humble servant,

"George W. P. Custis."

It is interesting to note that the building in question was that of his dignified mansion, "Arlington," located on a hillside between Alexandria and the city of Washington and commanding an excellent view of the broad Potomac. This

estate is now the well-known site of the national cemetery and has now, at some little distance from the Custis-Lee home, another structure of lasting beauty, the Arlington Amphitheatre, which furnishes a distinguished background for the tomb of the Unknown Soldier.

In the period just before the Civil War, other noted persons were frequently seen in the old drug store.

Mr. Phineas Janney of Alexandria, a brother-in-law of Edward Stabler, was famous for his excellent table. And not only were the viands spread upon it extraordinarily fine, but the company that sat about it was unusually brilliant. It numbered often John Calhoun, Henry Clay and that illustrious son of New Hampshire and of Dartmouth College, Daniel Webster, as well as other notables of the day.

After one of these dinners, these gentlemen had often to wait several hours till such time as they might take the ferry boat back to Washington. It was their custom to repair to Friend Stabler's, where they sat about and discussed burning issues of national importance or, possibly, those trivialities to which even the great occasionally condescend.

Among the interesting documents preserved since the early days of the business is one which, although it relates to no persons of particular eminence, may well be referred to as an eloquent testimonial to two "great" rascals, as well as providing an interesting glimpse of an unusual method of closing an account.

This entry, under date of 1797, follows:

"Clingman and McGaw: To repairing medicine chest for ship Saratoga, 2 pounds, 5 shilling, 6 pence.

"Credit by dishonesty in full which in the ultimatum met with its full reward (as vice always does), McGaw being executed in Scotland for being as a spy on board of a French ship—Clingman being arrested in Holland—what became of him I know not."

A brief description of other items of interest in relation to the store should add to the visitor's pleasure in viewing this little-changed business place of bygone years.

At the rear of the 107 S. Fairfax St. section of the store is a large desk, the front of which has been fitted with two compartments in which are mirrors, one of them bearing in gold leaf the figures "1792" and the other "1892," thus symbolizing a century of service.

Above these mirrors, in letters of gold leaf on a dark background are the various names under which the business was operated up till 1865. They are:

1792	1844
Edward Stabler	W. Stabler & Bro.
1820	1852
E. Stabler & Son	John Leadbeater
1831	1857
William Stabler	J. Leadbeater & Son
1840	1860
William Stabler & Co.	Leadbeater & Co.

To bring the record up-to-date, the following firm names should be added.

1865	1892
E. S. Leadbeater & Co.	E. S. Leadbeater & Sons
1869	1903
E. S. Leadbeater & Bro.	E. S. Leadbeater & Sons, Inc.

1916

Leadbeater Drug Corporation

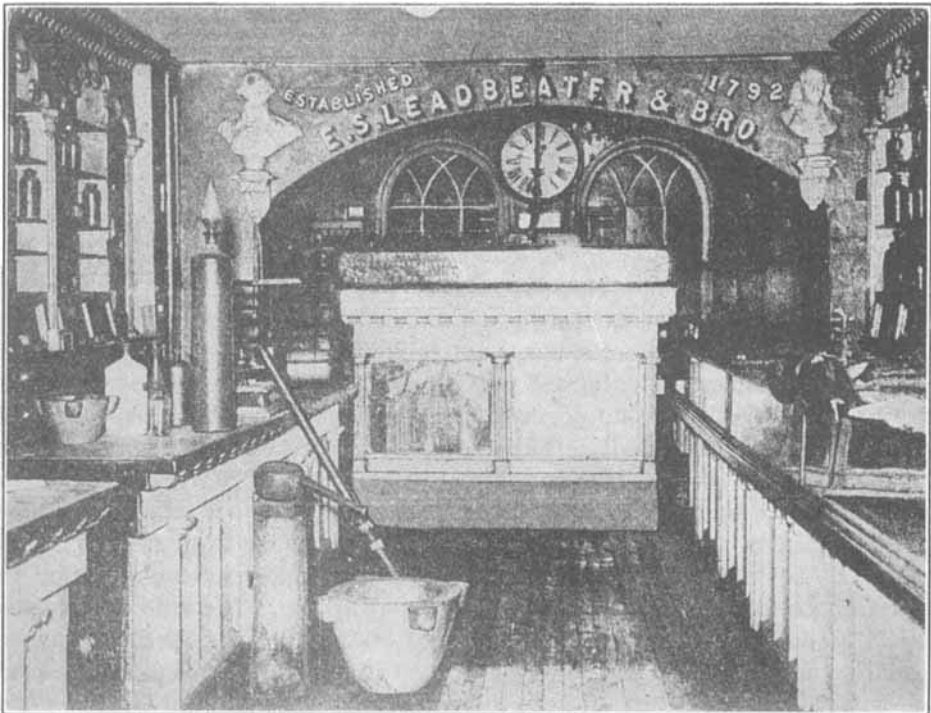
Over the desk are plaster casts of General Washington's head on the one side and on the other, Benjamin Franklin's. A little boy, asked whom they represented, replied:

"Why, George and Martha Washington, of course!"

Accuracy was, perhaps, to his mind less essential than appropriateness.

In honor of the other general associated with the store, there hangs over one of the doorways in this same room a large picture of Robert Edward Lee and the generals on his staff.

In this room, too, is a large clock, well over a hundred years old.



Stabler-Leadbeater Apothecary Shop, Alexandria, Va., before sale. The famed "spirit of nitre bottle" is on the counter, back of a mortar, also a tall show bottle. On the front counter, at the left, is the General Robert E. Lee plate.

Old hand-blown bottles, the ancient show cases, the shelves covered with gleaming bottles of ingredients for prescriptions as well as the various staples sold by apothecaries for many, many years, all serve to heighten the contrast between this historic business house and a modern drug store where one has almost to constitute oneself a hunting party in order to find medicinal supplies. In these and in the old ledgers the casual visitor, as well as the carefully trained pharmacist, will find much of interest and will feel amply repaid for the time spent in a visit to the store, for such a visit constitutes a fascinating and delightful excursion into the nation's past.

EDITOR'S NOTE: The exterior and interior of the building are now being restored and will be kept open as a museum when restoration is completed, a memorial to its founder and a reminder of early American pharmacy and illustrious patrons of this pharmacy. See pages 705-707, *JOURNAL A. PH. A.* for August 1933.