A WRANGLE SETTLED.

THE KANSAS CITY LAND COMPANY MUST AND WILL PAY UP.

It Has a Perfect Title to the Hays Tract of Land, in South Memphis—Its Agent Says the Money Will be Handed Over at Once, and Improvement Begin.

THE APPEAL'S special dispatch from Jackson, Tenn., concerning Supreme Court decisions yesterday, announces the affirmation of the cases of Hays vs. Kansas City Land Company, and Kansas City Land Company vs. Hays.

Those decisions settle a long-continued, vexatious and expensive litigation, growing out of the sale of the Hays tract of land in South Memphis, by Mr. Hill, to the Kansas City Land Company for something like $156,000.

From Messrs. Hill & Wilkerson, attorneys of Mr. Napoleon Hill, an APPEAL reporter obtained the following facts in reference to the decision:

Several years ago Mrs. Mary A. Walker, then owner of the land, borrowed from the Life Association of America, of St. Louis, $5,000. To secure this loan she made a deed of trust on the land in question. Mrs. Walker, after making this deed of trust, made a will, in which she devised this property to her daughter, Mrs. A. J. Hays, for life, and at her death to her children. Afterward Mrs. Walker died, and—the debt due the Life Association of America, so secured by deed of trust, not being paid—the trustee sold the land at public sale. Messrs. Napoleon Hill and W. W. Taylor became the purchasers. Afterward Mr. Hill bought Mr. Taylor's interest in the land. About two years ago a syndicate, composed of Kansas City people, came here and purchased the land from Mr. Hill, together with a small tract adjoining, at $156,000, one-third of which was paid in cash, remainder to be paid in one and two years, with interest, and secured by lien retained on the land.

The heirs of Mrs. Hays filed a bill to recover this land from Mr. Hill and his vendee, the Kansas City Land Company, claiming title under the will above referred to. Chancellor B. M. Estes dismissed the bill on demurrer of Mr. Hill, holding that if the Hays heirs had any interest they could not assert a title in equity until the death of their mother, Mrs. A. J. Hays. After this case was so decided, the Kansas City Land Company filed its bill in chancery asking to be released from its purchase, on the ground that the will of Mrs. Hays created a cloud on the title, also that Messrs. Hill and Taylor had purchased an interest in the land before the trust sale referred to, being the interest of Mrs. Hays and her son, A. J. Hays, which purchase made Hill and Taylor tenants in common with the other Hays heirs, who were minors, and as such tenants in comon Hill and Taylor's purchase at the trust sale inured to the benefit of said minors equally with Hill and Taylor; hence Hill and Taylor were only tenants in common with the Hays heirs, who had not signed the deed to Hill and Taylor conveying said land.

Mr. Hill denied in his answer having made the purchase from Mrs. Hays and A. J. Hays before said trust sale, and claimed that when he and Taylor purchased at trust sale, they had no interest whatever in said land and bid it in and paid for same at its full market value, and therefore, acquired a good and indefeasible title. The chancellor who heard the case below, being the Hon. Lep. Lehman, special chancellor, sustained Mr. Hill's answer, and decreed that the trust sale was a bona fide sale, and that Hill & Taylor acquired a perfect title thereunder. The Supreme Court yesterday, after having given the entire day to the hearing of this case, rendered its final decision, affirming the decree of the learned Special Judge Lehman, and holding that the Kansas City Land Company has a perfect title.

This opens up a new field of development in South Memphis, as Mr. White, the agent of the Kansas City Land Company, states that the balance of purchase money going to Mr. Hill will be at once paid, and that the company will expend a large amount of foreign capital in the development of the property.

VOICE OF THE PEOPLE.

Belief of the Baptists.

The Rev. A. J. Dickinson, Pastor of the Central Baptist Church:

My Dear Brother—I have read with deep interest the second of your series of lectures under the above head, as printed in THE APPEAL of the 5th inst., and it gives me sincere pleasure to be able to subscribe to every word therein expressed except a single sentence.

In speaking of the importance of immersion you say: "But we do not believe that the ordinance has in itself any saving efficacy. * * * On this point we differ from Alexander Campbell and his followers."

I deeply regret that you marred your admirable statement of unquestionable Scripture teaching by the insertion of this sentence. Leave it out and you have, with great cleverness and force, stated the exact position of the Disciples of whom you speak, no doubt without duly weighing your words, as the "followers" of Alexander Campbell.

In brief, I doubt if there is a preacher or writer among those who stand identified with the movement so much indebted to the genius and spirit of the illustrious Campbell, who could make a more satisfactory statement of the faith and practice of the Disciples than you have made. Fraternally, in Christ Jesus,

DAVID WALK.

Memphis, Tenn., May 7, 1889.

Inspection of Milk.

To the Editor of The Appeal:

Sir—Mr. Thiers, in THE APPEAL of the 4th inst., comes to the front with about the first dose of common sense on the milk inspecting subject that has been given us, but he should have continued and stated that milk consists of three materials blended together, called in science buteraceous, lactic and serous kind of matter, which can be separated by artificial means so as to form butter, buttermilk and serum or whey; but by a careful performance of his duties as inspector he has ascertained that it is subject to slight variations, as the average dairyman's garden fields are being improved with empty condensed milk cans—the cans doing double duty by stopping washouts while the former contents are being distributed upon our streets, as fresh morning milk, with the usual accompaniment of starch, sugar, flour, plaster of Paris, chalk, eggs, annatto, etc.; and this stuff is being peddled out by men that have got the brazen impudence to look you in the face and lay claim to honesty. Yes, it is purchased in many cases especially as a chief aliment of children, for a choice nourishment, and relied upon to develop the physical powers and impart vigor to the constitution of children during the most feeble and critical period of their lives, when the best possible nourishment is especially necessary in order to counteract the injurious effects of infected air and deficient exercise, which are often inseparable from the condition of city life.

Mr. Thiers, instead of making a fruitless attempt with his limited knowledge of his official duties to bolster up a certain milk as being the only pure milk that was being sold, should have told plain truth and said that when milk is put into a can and carried a considerable distance over rough roads, rail or otherwise, so as to be much agitated, before being delivered for use, that even it—with all its purity is necessarily inferior in quality just in proportion to the amount of agitation it has received, and that if said agitation be continued to any great length it becomes entirely worthless for sweet milk purposes, no matter how rich it may be in buteraceous matter; and he should further state that parties selling cream raised from such milk and claiming it as the best whip cream on the market are making unfair claims that they cannot substantiate.

Mr. Thiers is certainly right in calling for more legal authority, he should be required to visit every dairy and inspect not only the health of the animals, but also the cleanliness of the dairy and the manner of handling the milk, and in justice to the dairyman he might be vested with authority to do a little inspection of vessels often brought to receive milk from the wagon. Every article in which milk is placed should be washed in water with a little lime or soda dissolved in it. If milk sours in any glass or china vessel the acid thus generated will injure any which may afterward be placed in it, but if washed in water in which an alkali has been dissolved the acid will be destroyed. Mr. Thiers will find that his duties, if properly performed and justice dealt to all, will worry him mightily.

He should not talk about 40 cents per gallon, for there are no such prices ruling on the market, on the other hand, the cut-throat system brought about by the people themselves piteously crying for big measure and more tickets for the dollar has about driven the honest milkmen that did exist out of the market, and men of peculiar views that can ease their conscience by pandering to the demand for big measure and cheap product have about got the field to themselves with their adulterated article. If milkmen feed their cows on wholesome food that will produce good milk, and sell it at the prices that are generally ruling, he will either have to starve himself and family, go poorly clad and present a most dilapidated appearance on the street with his old shackly wagon, or find himself a candidate for the poorhouse. On the other hand, fine harness, fat mules, varnished wagons and dude drivers are not the result of pure milk at 25 cents per gallon; there is a good quantity of condensed milk, burnt sugar and solid water about it—and how much does the consumer gain by it?

W. J. V.

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Our oldest child, now six years of age, when an infant six months old was attacked with a virulent, malignant skin disease. All ordinary remedies failing, we called our family physician, who attempted to cure it; but it spread with almost incredible rapidity, until the lower portion of the little fellow's person, from the middle of his back down to his knees, was one solid rash, ugly, painful, blotched, and malicious. We had no rest at night, no peace by day. Finally, we were advised to try the CUTICURA REMEDIES. The effect was simply marvellous. In three or four weeks a complete cure was wrought, leaving the little fellow's person as white and healthy as though he had never been attacked. In my opinion, your valuable remedies saved his life, and to-day he is a strong, healthy child, perfectly well, no repetition of the disease having ever occurred.

GEO. B. SMITH,
Attorney-at-Law and ex-Prosecuting Attorney, Ashland, O.

REFERENCE: J. G. Weist, Druggist, Ashland, O.

My boy, aged nine years, has been troubled all his life with a very bad humor, which appeared all over his body in small red blotches, with a dry white scab on them. Last year he was worse than ever, being covered with scabs from the top of his head to his feet, and continually growing worse, although he had been treated by two physicians. As a last resort, I determined to try the CUTICURA REMEDIES, and am happy to say they did all that I could wish. Using them according to directions, the humor rapidly disappeared, leaving the skin fair and smooth, and performing a thorough cure. The CUTICURA REMEDIES are all you claim for them. They are worth their weight in gold to any one troubled as my boy was.

GEORGE F. LEAVITT, North Andover, Mass.

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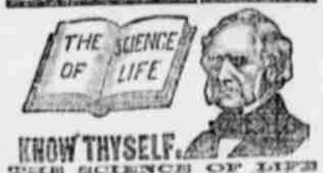

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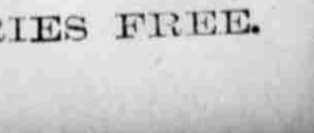

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