

# BARRAUD HEIRS WON

P. St. George Barraud and Brothers Have an Interest in the Barrons Farm.

## OTHER INTERESTING CAUSES

Supreme Court Decides Against Lewis' Fight to Keep Restaurant Open—Richmond Cases.

The Supreme Court of Appeals of Virginia, with a full bench present, yesterday, handed down opinions in sixteen cases, and decided thirteen appeals for writs of error and supersedeas. Among the cases decided are many of great local interest.

None of the cases decided is of more interest to Richmond and Virginia readers generally than that of Turner, et al., vs. Barraud, from the Circuit Court of Norfolk county, in which Judge Harrison hands down the opinion of the court, affirming the decree of the trial court. This case is of peculiar interest at this time by reason of the fact that P. St. George Barraud, son of the defendant in the case, and the great-grandson of the original owner of the property involved, known as the Barrons farm, recently disappeared from this city, with a serious charge developing against him immediately after his disappearance. The decision of the case, which is in favor of the appellates, gives title to certain valuable property in Norfolk county to the Barraud children, of whom P. St. George Barraud is one. In this connection, it may be interpolated that certain creditors of P. St. George Barraud are interested in the land, the title of which is involved.

D. C. Barraud, Sr., of Norfolk, died in 1877, leaving a will bequeathing his interests in the Barrons farm, in Norfolk county, with remainder to his lawful issue, if he should die leaving any such, and if he should die without lawful issue, then such remainder to pass, under the residuary clause of the will, to the persons therein named. In addition to this specific bequest, the testator gave to this grandson an undivided interest in the estate, passing under the residuary clause of the will.

In the case of the Richmond Traction Company vs. Williams, from the Law and Equity Court of Richmond, Judge Cardwell delivers the opinion of the court, affirming the judgment of the lower court. Mrs. S. M. Williams, as appellee, sued the company for damages for injuries for \$500 with interest. The court finds in favor of the plaintiff upon the grounds (1) that the court below misdirected the jury as to the law; (2) because the verdict is contrary to the law and the evidence. The court overrules both these contentions and affirms the judgment of the lower court.

**A Partnership Dispute.**  
In the case of Slaughter vs. Danner, from the Law and Equity Court of the city of Richmond, Judge Harrison, delivering the opinion of the court, holds that there is no error in the decree appealed from and affirms the same. The suit involves the settlement of a partnership between the plaintiff and R. W. Danner, formed in April, 1891, to conduct business as merchants and manufacturers of lime, plaster and cement in this city. The plaintiff claims that he was put into the business \$3,640, and that he is entitled to recover that sum from the defendant. The court finds in favor of the plaintiff and awards him a sum twice that claimed by the plaintiff on account of debts for which he is held responsible. The court is unable to say that the plaintiff is entitled to the amount claimed, but it is held that the plaintiff has a right to recover from the appellee. This he has wholly failed to do, and there is no other result than to award the plaintiff a lower court in dismissing his bill. The decree is affirmed.

**The Chancery Court Reversed.**  
Another local case decided is that of the Savings Bank of Richmond vs. the Powhatan Clay Manufacturing Company, appealed from the Chancery Court of the city of Richmond. Judge Cardwell, in his opinion, writes the opinion, which holds that the demurrer to the bill should have been sustained. This demurrer was sustained on the ground of the Southern Railway Depot in this city, brick for which was furnished by the appellee. The company denied its claim against the building and land, and account of material furnished, etc., and claimed that the building was the property of the Savings Bank, one of the defendants. The bill was demurred to because it did not show when the amount of the plaintiff's claim became due and payable nor allege that the suit had been brought within the six months' period prescribed by the act of 1892. The Chancery Court does not in terms pass upon the demurrer, and in such a case it is to be considered as having been overruled. Judge Keith holds that the demurrer should have been sustained, and reverses the lower court.

**Summary.**  
By Judge James Keith, president—  
Hedley and Sons vs. Beale, Judge. Circuit Court of Westmoreland county. Affirmed.  
Duchess vs. Corporation Court of city of Newport News. Affirmed.  
Savings Bank of Richmond vs. Powhatan Clay Manufacturing Company, Chancery Court of city of Richmond. Reversed.  
By Judge R. H. Cardwell—  
Richmond Traction Company vs. Williams, Law and Equity Court of city of Richmond. Affirmed.  
Larsen vs. Rutherford's administrator, Circuit Court of Warren county. Reversed.  
Annie vs. Slaughter, A. Moore, Jr., trustee, Circuit Court of Clarke county. Affirmed.  
Fulkerson vs. Taylor, Circuit Court of Lee county. Reversed in part.  
Tanner vs. City of Bristol, Corporation Court of city of Bristol. Reversed.  
House vs. House, Circuit Court of Russell county. Reversed.  
Tompkins receiver, vs. Dyerle, Circuit Court of Montgomery county. Reversed.  
Cardwell and Harrison, et al., dissenting.  
Plenary et al. vs. Kane et al., Circuit Court of Lee county. Affirmed as amended.  
By Judge George M. Harrison—  
White Hall Company vs. Hall, Circuit Court of Buchanan county. Affirmed.  
Washington National Building and Loan Association vs. Wendling, Circuit Court of city of Alexandria. Reversed.  
Tench vs. Gray, Circuit Court of Sussex county. Affirmed.  
Larsen vs. Rutherford, Circuit Court of Norfolk county. Affirmed. Keith, P., not participating.  
By Judge Stafford G. Whitlock—  
Harrison vs. White Hall Tobacco Warehouse Company, Circuit Court of Buchanan county. Affirmed.  
City of Charlottesville vs. Falls, Circuit Court of city of Charlottesville. Writ of error. Southern Railway, Circuit Court of city of Richmond. Writ of error. Not participating.

**The Court Evenly Divided.**  
Perhaps no other is more interesting to the bar and the lay alike than the action of the court in affirming the judgment of the lower court in the case of the Barrons farm. The opinion of the court is evenly divided. In this case Lewis, the plaintiff in error, the proprietor of a saloon and restaurant in the city of Norfolk, had entered the same door as the bar. Lewis' loss is his bar to the extent of cancelling it with a partition on Sundays, but leaving the front doors open, so that the restaurant patrons might go through the saloon into the restaurant. His attorneys contended that this constituted a violation of the law, and that the bar should be closed. The police justice took another view, and the Norfolk courts of record sustained the police justice's decision, finding him for keeping his bar open. Lewis applied for a writ of error. No writ of error is granted, and the decision of the lower court is affirmed. As a result of the decision, the court will affirm the lower court and refuse the writ of error asked. The opinion will have a far-reaching and important effect on the enforcement of the law against Sunday liquor selling. While the decision would have carried more weight had the court been evenly divided, the result as it is will have the effect of establishing a precedent in all such cases.

**What Shall We Have for Dessert?**  
This question arises in the family every day. Let us answer it to-day. Try **Jell-O**, a delicious and healthful dessert. Prepared in two minutes. No boiling! no baking! add boiling water and set to cool. Flavors: Lemon, Orange, Raspberry and Strawberry. Get a package at your grocers to-day, to to.

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**Traction Company Loses.**  
In the case of the Richmond Traction Company vs. Williams, from the Law and Equity Court of Richmond, Judge Cardwell delivers the opinion of the court, affirming the judgment of the lower court. Mrs. S. M. Williams, as appellee, sued the company for damages for injuries for \$500 with interest. The court finds in favor of the plaintiff upon the grounds (1) that the court below misdirected the jury as to the law; (2) because the verdict is contrary to the law and the evidence. The court overrules both these contentions and affirms the judgment of the lower court.

**BECHTEL TRIAL FAIRLY UNDER WAY**  
(By Associated Press.)  
ALLEXTOWN, PA., Jan. 14.—After consuming almost the entire day in selecting a jury, the trial of Mrs. Catherine Bechtel on the charge of being an accessory after the fact in the murder of her daughter, Mabel, is now fairly under way. The entire panel of sixty taxmen was exhausted, and the court was forced to call upon citizens among the spectators to fill the jury box. Three witnesses were called before the court yesterday for the day. Their testimony brought out nothing that would tend to prove the Commonwealth's contention. Judge Trexler to-day discharged all jurors not engaged in the present case. This would indicate that the trials of Mrs. Bechtel's daughter and two sons on the charge of complicity will go over until April.

**The Earlier Vesuvius.**  
The most recent excavation shows that Vesuvius began its work as a conservator of antiquity earlier than the memorable year A. D. 79, during the eruption in the valley of the Sarno, near San Marzano, some most interesting antiquities have come to light. They have been covered up by volcanic deposit about six feet thick, which points to an eruption of Vesuvius which must have taken place in the seventh century before Christ. The relics include a Greek burying place, archaic Italian tombs and various bronzes and terra cotta.

**COPIES OF YESTERDAY'S ISSUE**  
... OF ...  
**The Times-Dispatch.**  
MAY BE OBTAINED TO-DAY AT  
**THE BUSINESS OFFICE.**

## "A Year's Growth of a Growing Company."

# SOUTH-ATLANTIC LIFE INSURANCE CO.

CONDITION AS OF DECEMBER 31, 1903:

Income	= = = = =	\$111,946.35.	Increase, 26 Per Cent.
Total Assets	= = = = =	\$316,997.44.	Increase, 9 Per Cent.
Insurance in Force	= = = = =	\$3,200,000.00.	Increase, 23 Per Cent.
Death Losses Unpaid,		NONE.	

FOUR YEARS' GROWTH:  
1900---Income, \$30,108.00.  
1901---Income, \$65,625.00.  
1902---Income, \$96,604.00.  
1903---Income, \$111,946.35.

BEVERLEY B. MUNFORD, President.  
S. W. TRAVERS, Second Vice-President. FREDERIC W. SCOTT, Treasurer.  
L. M. WILLIAMS, Third Vice-President. D. P. FACKLER, Consulting Attorney.  
LOUIS T. DOBIE, Secretary. J. ALLISON HODGES, Medical Director.  
W. R. HARPER, First Vice-President and General Manager.

of city of Richmond. Appeal and supersedeas. Bond, \$100.  
Norfolk Railway and Light Company vs. Spryley, Law and Equity Court of city of Norfolk. Writ of error and supersedeas. Bond, \$500.  
Johnson vs. Commonwealth, Corporation Court of Portsmouth. Writ of error and supersedeas.  
Perkinson vs. Wright, Circuit Court of Brunswick county. Appeal refused.  
Punkhouser vs. Spahr, Circuit Court of Augusta county. Petition for rehearing refused.  
Lewis vs. Commonwealth, Affirmed by divided court.  
City of Roanoke vs. Roanoke Railway and Electric Company, Petition for mandamus. Refused.  
PROCEEDINGS YESTERDAY.  
Southern Railway Company vs. Washington, Alexandria and Mount Vernon Railway Company, Argued by E. B. Fisher for appellant and R. Walton Moore for appellee, and submitted.  
Richmond Passenger and Power Company vs. Gordon, Argued by H. Taylor for appellant and C. V. Meredith for appellee, and continued.  
Morien vs. Norfolk and Atlantic Terminal Company, Passed to the March term.  
Southern Railway Company and others vs. Glenn's administrator and others, Passed to be taken up with case No. 61.  
Next cases to be called:  
Johnston and Cheek vs. Green, trustee, and others.  
Berkeley and Harrison vs. Green, trustee, and others.  
Fisher, trustee, vs. Seaboard Air Line Railway Company, being Nos. 26, 27 and 28 on argument docket.

### Social and Personal

Preparations are progressing finely for the play, "Miss Satan," to be given by the University of Virginia Dramatic Club in the Academy on the evening of January 21st for the benefit of the Richmond Light Infantry Blues and the University Hospital.

Among the Richmond debutantes who will be the guests of the boys and the girls for the evening will be Miss Lila Blair, Miss Louise Herbert, Miss Nan Morris, Miss Gladys Frazier, Miss Nellie Gordon, Miss Mary Drewry, Miss Mary Drake, Miss Louise Purcell, Miss Lina Shields, Miss Edith Grant, Miss Laura Rutherford, Miss Alice Doyle, Miss Sophy White, Miss Lily Ingram, and Miss Ella Hammond, Miss Hazzard and Miss.

The presence of the "buds" will greatly enhance the social prestige and brilliancy of the occasion, and will serve as a great inspiration to the club in the presentation before a Richmond audience of a play abounding in the purest wit and humor, and filled with unexpected situations and complications.

Arrangements are being made here for the hospitable entertainment of the club during its stay in Richmond. The comfort of the "leading lady" and her friends" will be especially considered.

The prospects for a very full house at the Academy on Thursday evening next now seem unusually good. Members of the University Dramatic Club include "Miss" J. Ensko, "Miss" F. J. Buchanan, "Miss" R. Hensberger, "Miss" N. L. South and "Miss" G. Zinn. These "ladies" are known on the stage as Mrs. Gillbrand, Mrs. Hummingtop, Miss Rosa Columbar, Miss Daisy Maitland and Barbara, the maid.

The gentlemen who will take part in the play are: Mr. C. W. Caves, Mr. W. V. Gaunt, Mr. Burke, Mr. Edmund Price, Manager P. Harris and Mr. Charles McVeigh.

In the home of Mr. Butler, No. 411 North Twenty-fifth Street, a "Sack Social" will be given this evening for the benefit of the Ladies' Aid Society of Leigh Street Baptist Church.

The hour for the "Social" will be 8 o'clock. Each guest will bring a sack containing pennies matching their number in "chess" worn. A musical programme will be given by Captain Frank Cunningham, who will have the West End Angels to assist him.

The Helping Hand Circle of King's Teachers will hold a very important meeting at the home of Mrs. Moses Carter, No. 231 East Broad Street, this afternoon at 4 o'clock.

The Emma Andrews Whist Club will meet Friday afternoon with Mrs. Witherspoon, on North Line Street.

The Board of Managers for the Shuttering Arms Hospital met yesterday at noon. The following officers were elected for the ensuing year: President, Mrs. Peterkin; First Vice-President, Mrs. John Southall; Second Vice-President, Mrs. Frances Scott; Third Vice-President, Mrs. L. B. Janney; Fourth Vice-President, Mrs. E. T. Robinson; Treasurer, Mrs. George T. King; Corresponding Secretary, Mrs. A. B. Landrick; Recording Secretary, Miss Anna Boykin.

The Chalmers Hospital Board will meet at 4 o'clock this afternoon with

Mrs. Hiram Anderson, No. 308 North Twenty-sixth Street.

Every member of Oakwood Memorial Association is asked to be present this afternoon at 4 o'clock, when an important meeting will be held in the brick school-house of St. John's Church. The Junior Hollywood Association is cordially invited to be present.

The meeting is for the purpose of framing resolutions in regard to the death of Mrs. A. Y. Stokes, one of the founders of the association, for years its president, and a life member.

**Personal Mention.**  
Mrs. Robert Douglas Roller, of Charleston, W. Va., is visiting her aunt, the Misses Richardson, and her niece, Mrs. Freeman Danco, No. 104 West Grace Street.

Mrs. Roller will be remembered pleasantly by many as Miss Carrie Booker.

Miss Grace Lemmon, of Baltimore, Md., is the guest of Mrs. Walter Herndon Miles at No. 922 West Franklin.

Miss Mary Stewart Buford is visiting her sister, Mrs. Robert Strange, at No. 813 East Grace Street.

Mr. and Mrs. David D. Whitehead are at Mrs. Gregory's, No. 106 West Main Street, for the winter.

Miss Ellen Douglas Garnett, of Poplar Grove, Mathews county, is the guest of Miss Jennie Hughes, at No. 1001 Floyd Avenue.

Mrs. Minnie Griffiths Rountree has left for an extended Northern trip. She will visit New York, Montreal and Quebec before her return.

Miss Annie Fletcher has a number of portraits, miniatures and landscapes, most of which were done by her while abroad last summer, on exhibition in the Richmond Art Company's store on Broad Street.

Mrs. Robert H. Talley and Mrs. Samuel Milner Price were the guests of honor at a reception given yesterday by Mrs. Arthur Cannon at No. 921 Park Avenue.

Mrs. Price was also entertained Wednesday at luncheon by Mrs. Thomas Cary Johnson, of Union Theological Seminary.

Guests asked to meet Mrs. Price were: Mrs. George Ben Johnston, Mrs. Hugh Taylor, Miss Jane Rutherford, Miss Lily Price, Miss Belle Johnson, Mrs. Alfred Witherspoon, Miss Claire Guillaume and Mrs. Scott.

The meeting of the Junior Auxiliary of the Virginia Home for Invalids, which was to have taken place this afternoon in No. 918 West Franklin Street, has been postponed until Saturday afternoon at 4 o'clock. A full attendance is desired, as matters of importance will be transacted.

Miss Frances L. Jenkins has returned to the city from Norfolk, and expects to be here the rest of the winter. Her address is No. 708 East Franklin Street.

Mrs. Jennie Oehm, of Baltimore, Md., is the guest of Mrs. J. Henry Thomas, No. 208 North Walnut Street.

## POEMS YOU OUGHT TO KNOW

Whatever your occupation may be, and however crowded your affairs, do not fail to secure at least a few minutes every day for the refreshment of your inner life with a bit of poetry.—Charles Eliot Norton.

No. 81.

### Not Lost, But Gone Before

By CAROLINE NORTON.

Lady Norton was the daughter of Thomas Sheridan, granddaughter of Richard Brinsley Sheridan. From him she inherited her brilliance. She was born in 1808, at the age of nineteen married the Hon. George C. Norton. In 1833 published the *Sorrow's Roselle*; the following year achieved her success as a poetess by the production of the *Unshining One*, which the *Quarterly Review* declared to be worthy of Lord Byron. Subsequent works in prose and poetry obtained a large circulation; her most quoted poem is *Bingen on the Rhine*. She died June 16, 1877.

HOW mournful seems, in broken dreams,  
The memory of the day,  
When icy Death hath sealed the breath  
Of some dear form of clay.

When pale, unmoved, the face we loved,  
The face we thought so fair,  
And the hand lies cold, whose fervent hold  
Once charmed away despair.

Oh, what could heal the grief we feel  
For hopes that come no more,  
Had we ne'er heard the Scripture word,  
"Not lost, but gone before."

Oh sadly yet with vain regret  
The widowed heart must yearn;  
And mothers weep their babes asleep  
In the sunlight's vain return.

The brother's heart shall rue to part  
From the one through childhood known;  
And the orphan's tears lament for years  
A friend and father gone.

For death and life, with ceaseless strife,  
Beat wild on this world's shore,  
And all our calm is in that balm,  
"Not lost, but gone before."

Oh, world wherein nor death, nor sin,  
Nor weary warfare dwells;  
Their blessed home we parted from  
With sobs and sad farewells.

Where eyes awake, for whose dear sake  
Our own with tears grow dim,  
And faint accords of dying words  
Are changed for heaven's sweet hymns;

Oh, there at last, life's trials past,  
We'll meet our loved once more,  
Whose feet have trod the path to God—  
"Not lost, but gone before."

Caroline Norton

This series began in the Times-Dispatch Sunday Oct. 11, 1903. One is published each day.

### TWO BLOCKS CONSUMED BY FIRE IN HAVRE, MONT

(By Associated Press.)  
HAVRE, MONT., Jan. 14.—Fire which began last night and was thought to have been subdued, broke out again to-day, consuming two blocks of business houses, including the Havre Hotel, a large clothing store and a number of saloons and restaurants. A block of dwelling houses also burned.

During the excitement caused by the conflagration, thieves began to plunder the burning or deserted buildings, and secured considerable booty. Assistance was called for from the soldiers at Fort Astubelle, and a company was rushed to the city, and martial law was declared. The estimated loss by the fire is \$400,000, with but little insurance. No lives were lost.

"Farmer Bryan" Picture.  
Artists all over the world have photographed and painted pictures of William J. Bryan, the famous Nebraska orator, whose presence in Washington this week has shown how many loyal supporters he still has among the members of the Democratic National Committee, but the most celebrated picture of Mr. Bryan was the "Farmer Bryan" study, taken by Louis E. Bechtel in 1900.

The picture was taken early in the 1900 campaign. Mr. Bryan was living on his farm, near Lincoln, which he had just purchased, and the papers were filled with stories of his high-priced cattle and his new ventures in agriculture. When Mr. Bechtel reached the Bryan farm he found the distinguished politician dressed in jumpers, hickory shirt, boots and a broad-brimmed straw hat. Bryan was standing by a chicken yard fence, looking at a brood of young chickens.

Mr. Bryan declined to pose for a picture in such a garb, and turned his face away from the camera. Mr. Bechtel snatched the back of the silver leader, and the picture made the artist famous.—Washington Times.

A Fire-Proof Town.  
From the character of the buildings fires cannot well occur in Turin. A prominent citizen, says United States Consul Cuneo, says that no fires worthy of mention have occurred in the city for over thirty-five years, and another business citizen, who has resided there for more than forty-five years, says that he cannot remember a single fire of any importance during all that time. Such being the record, insurance rates are almost nothing.

Endorse Roosevelt.  
(By Associated Press.)  
PORTLAND, GIB., Jan. 14.—By unanimous vote and with great show of enthusiasm, the National Live Stock Association adopted resolutions heartily endorsing the policy of President Roosevelt with reference to the building of the Panama Canal.