

such outbreaks of temper, and I have a horrible feeling of dread. Won't you deal gently with him for my sake? How would it do to avoid noticing him for one day? I really do not know what to suggest. There is a great deal to be learned from the other four children. He ought to have been more carefully watched and trained. Mr. Shaw will be home soon, and will be able to advise with me."



"Berry's for Clothes." You'll hold a strong hand with Berry Clothes on--socially and commercially. Berry Clothes fit and wear gracefully. Berry Clothes impart an air of gentility and refinement. Berry Clothes are the best of clothes, because you start with the very weaving of the fabric and follow the process all the way through to the perfect tailoring thereof. Then we endorse them with our name. Suits and O'coats, \$12.50 up. Boys, \$8.50 up.



SALVATION ARMY LEADERS COMING

Officers of Southeastern Division of Atlantic Coast Province to Gather.



COLONEL A. M. DAMON.

Salvation Army leaders will assemble in Richmond in a short time to hold a convention of officers of the southeastern division of the Atlantic Coast Province, composed of the States of Delaware, Maryland, Virginia and North Carolina and the District of Columbia. Colonel A. M. Damon, the provincial officer, and his staff, with Major M. E. Barter and Adjutant H. Core, the divisional officers, will arrive on Saturday, January 25th, and about fifty officers from the several corps of the division will also gather here. A number of important meetings will be held.

Colonel Damon will deliver his famous lecture, "In Darkest America," in the Y. M. C. A. auditorium at 8:30 o'clock on Saturday evening, January 26th. One hundred magnificent views and many new illustrated songs will be given. Admission will be by tickets, which will be sold for a small sum. Captain Fowler will reserve tickets for those who may wish them. Other meetings already arranged for Colonel Damon to address are as follows: A big mass-meeting in the First Baptist Church at 3:30 o'clock Sunday afternoon, special solos and music will be rendered by the choir of that church. A big salvation meeting in the Second Baptist Church at 8 P. M. Adjutant Core will sing special solos.

Major Barter to Speak. A special meeting has been arranged for Major M. E. Barter at the Venable Street Baptist Church on Sunday evening, January 26th, at 8 o'clock. Captain Fowler has had so many requests for the major to speak in this section of the city that a great attendance is expected. There will be three sessions of the councils daily, and other meetings, which will be announced in the near future.

Richmond and Mrs. Fowler hope that everybody interested will become acquainted with these leaders of the army while they are in Richmond, and would also like to hear from those who would board any of their comrades during the councils, as some of them come from corps where money is very scarce, now that scrip is being issued.

CONDITIONS YESTERDAY. Richmond's weather was clear and cool. Range of the thermometer: 9-42. Min. 31. Max. 42. Average 37. Highest temperature yesterday 46. Lowest temperature yesterday 24. Mean temperature yesterday 33. Normal temperature yesterday 34. Departure from normal temperature 2.

MINIATURE ALMANAC. Sun rises 7:24. HIGH TIDE. Moon sets 6:22. Evening 4:10.

COURT AIMS BLOW AT FAKE SOCIAL CLUBS

Decision Written by Judge Cardwell in Portsmouth Case of Much Importance.

RICHARDS GETS NEW TRIAL

Case of Man Charged With Murder to Be Heard Again. Summary of Opinions.

Opinion day in the Supreme Court of Appeals was marked by a number of able decisions, some of which are of more than usual interest. A new trial is granted to John W. Richards, convicted in the Corporation Court of Floyd county of the murder of Mr. Francis, of Roanoke, and a carefully prepared opinion, written by Judge Cardwell, is thought to be a deathblow to the "fake social club," holding in effect that such a club may not be operated for business ends, and that a charter cannot be granted to a body of men to conduct a business that would be illegal if undertaken by an individual.

Lower Court Sustained. The case came up on the appeal of the Crawford Social Club, Incorporated, from the Husing's Court of the city of Portsmouth. Judge Cardwell holds that the finding of the lower court is plainly right, and affirms its action in annulling the charter of the club.

The action was instituted by the Commonwealth's attorney of Portsmouth, who asked quo warranto proceedings for annulling the charter granted by the Corporation Commission to the Crawford Social Club, and the privileges and franchises conferred by the charter, the exercise of a franchise and privilege not conferred by law, and the fact that the charter was obtained for a fraudulent purpose.

Under the terms of the act of incorporation the purposes of the club were to be purely social, to further companionship among its members, and to furnish a meeting place where discussions might be held and innocent amusements indulged in. The right to furnish to its members for pay diet and refreshments of any and all kinds, including tobacco and soft drinks, but no liquors, was granted, with the clear understanding that the organization was a social club, and not a business corporation.

History of Case. Judge Cardwell reviews the history of the case, showing that the Hanger Drug Company, of Portsmouth, had habitually violated the Sunday closing ordinance of that city; that on May 11th the Sunday laws were strictly enforced by the police, and no sales of soda water, tobacco, etc., were allowed; that on May 13th S. T. Hanger, president and chief owner of the Hanger Drug Company, with two associates, applied for a charter for the "Crawford Social Club"; that one of the two associates, J. T. Jarrett, was a stockholder in the drug store, and the other, L. B. Whately, a clerk in the store. On May 11th an advertisement appeared in a Portsmouth paper announcing that those who wished to join the club might leave their names at Hanger's Pharmacy; that there were no fees and no dues, and that the charter entitled its members to purchase soft drinks, tobacco and confectionery on Sunday.

An agreement was entered into whereby the club was to have the back room of the drug store for a meeting place, with the use of the soda fountain and cigar stand on Sundays. Thereafter the employees of the drug store were notified to reserve their seats on Sunday, no general meeting of the club being held, and the president of the drug store assuming direction of the affairs of the organization. Judge Cardwell held that there was a clear distinction between such an organization, which merely grants the use of a number of persons to conduct a business which an individual may not lawfully conduct, and a legitimate club operated for social purposes only. The court stated that in this case it was not called upon to determine what would and what would not be an abuse of charter privileges by a social club, as that question has to be determined upon the facts of each particular case. In the case in point the proof leaves no room to doubt that the charter was obtained, and was simply a mere make-shift to enable the practical owner and proprietor of the Hanger Drug Company to do under the cloak of the charter what which an individual could not do. The judgment of the lower court annulling and vacating the

charter of the plaintiff in error was therefore held to be plainly right.

New Trial Granted. In an opinion written by Judge Buchanan a new trial is granted to John W. Richards, the finding of the Circuit Court of Floyd county being reversed.

Richards is charged on circumstantial evidence with the murder of a young man named Francis, of Roanoke. The murder was committed on May 11th, and Francis was shot from ambush while on his way to visit his sweetheart. Suspicion pointed to Richards, who was a school teacher, and his arrest followed. Two trials resulted in hung juries, and in the third a jury from an outside county gave a verdict of murder in the first degree. The Supreme Court held that the lower court erred in the admission of certain testimony, and that there was sufficient reason for drawing a jury from another county, and a new trial comparatively easy to fill the panel in each of the former trials, and as the county had a population of 15,000.

Richards's counsel express the hope that with the throwing out of certain testimony, which merely grants there will be no difficulty in clearing their man in a new trial.

Write is Dismissed. Among the other interesting decisions was one denying the writ of error in the case of Forbes and others against the State of Virginia, Junior Order United American Mechanics of Virginia, from the Chancery Court of the city of Richmond. The application of the writ of error, which the appellate court has no jurisdiction to review the judgment complained of.

The Chancery Court of this city in the suit styled "State Council of Virginia, J. O. U. A. M., against National Council, J. O. U. A. M., and others," upon the petition of the plaintiffs, issued a rule February 20, 1902, against J. W. Forbes and others, summoning them to appear and show cause why they should not be fined and imprisoned for a contempt of this court in disobeying, disregarding and evading the decree of this court rendered July 10, 1901, and affirmed by the Supreme Court of Appeals of the United States, and the Supreme Court of the United States.

After several continuances, the defendants were ordered to be in contempt, and the Chancery Court fined them \$20 each. Then followed the appeal to the Supreme Court, and the award of writ of error, which is now dismissed. The opinion concludes: "The judgment complained of does not deprive them (the plaintiffs in error) of life or liberty. It imposes a fine, and they are given a reasonable time within which to pay it. It is only in the event of their failure or refusal to pay it that they are to be committed to jail. The imprisonment, therefore, is not a punishment, but a mere enforcement of the court, which by its terms imposes a fine upon plaintiffs in error for their disobedience to a law decreed by the Supreme Court of the United States. Any person who is forced to pay the very terms employed excludes from its operation judgments which do not, by their own terms, involve imprisonment. Therefore, the writ of error is, therefore, dismissed."

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CHRONIC STOMACH TROUBLE

Cured by Dr. Williams' Pink Pills After Sufferer Had Doctored for Years in Vain.

The tonic treatment for indigestion is having remarkable success in curing obstinate cases of that distressing malady, and deserves attention from every sufferer. Its principle is that remedies for indigestion that digest the food for the stomach give relief for only a short time. Ultimately they undo the stomach to do its own proper work, because they make its already weak power still weaker by disease, while the remedy that strengthens the stomach makes it more and more capable of digesting the food for itself, and this benefit lasts. A remedy that does not only act on the stomach, but for the blood and nerves as well, invigorates the entire system and makes recovery from the weakening effects of indigestion rapid and thorough.

Miss Cynthia Hart, of 418 E. Mulberry Street, Lebanon, Ohio, says: "I was a sick sufferer from stomach trouble for several years, and found no relief in doctors' or other medicines. My appetite was gone. I was troubled constantly by headaches and dizzy spells, and was so nervous that I was annoyed and worried by my little ailments. I was almost impossible to sleep at night, and I was easily tired out. The least bit of work made me short of breath. I lost in weight, and was so run down that I knew I must soon find some help or give up."

While undecided what to do I ran across a newspaper containing a like cure from Dr. Williams' Pink Pills, and at once bought a box. There was soon such a decided improvement that I continued using the pills, and was entirely cured. The best proof of this is that I have been well ever since. I cannot recommend the pills too highly."

Sufferers from dyspepsia in any form who have found their condition unrelieved or actually growing worse while using ordinary remedies, would do well to try Dr. Williams' Pink Pills. They are sold by all druggists or direct by mail, postpaid, on receipt of price, 50c. per box, six boxes \$2.50. A full booklet sent free on request to the Dr. Williams' Medicine Co., Schenectady, N. Y.

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Circuit Court of Appomattox county. Reversed. Smith's administrator vs. Norfolk and Western Railway Company. Circuit Court of Franklin county. Affirmed. War Spectacle vs. Commonwealth. Circuit Court of Henrico county. Reversed. Blackwood Coal and Coke Company vs. James, administrator. Circuit Court of Wise county. Affirmed. Woodson vs. Commonwealth. Circuit Court of Buckingham county. Reversed. Whittle, J. Dissenting. By Judge Stanford G. Whittle: Fields vs. Commonwealth. Circuit Court of Brunswick county. Reversed. Taylor, receiver, et al. vs. Sutherland-Moade Tobacco Company et al. Corporation Court of city of Lynchburg. Reversed. Durbin, assignee, vs. Roanoke Building Company et al. Corporation Court of city of Roanoke. Affirmed. Commonwealth vs. Southwestern Insurance Co. and Coke Company. Circuit Court of Tazewell county. Affirmed. Stevens vs. Duckett. Circuit Court of Fauquier county. Rehearing refused. Stevens vs. Clem. Circuit Court of Augusta county. Rehearing refused. Chesapeake and Ohio Railway Company vs. Fortuna. Circuit Court of Albany county. Rehearing refused. Norfolk and Western Railway Company vs. Bondurant's administrator. Circuit Court of Amherst county. Rehearing refused. Norfolk and Western Railway Company vs. Dean's administratrix. Circuit Court of Tazewell county. Rehearing refused. Charlottesville and Albemarle Railway Company vs. Rubin, by &c. Circuit Court of Albemarle county. Rehearing refused.

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CAPUDINE CURES COLDS and GRIPP It Removes the Cause. Relieves the aches and feverishness. Contains No Acetanilide. \$56. WILL BUY A NICE LITTLE STEIFF PIANO. CRAFTS PIANO COMPANY 214 N. Fifth Street.

favorably known to the older residents of the city. Frank Hamner. (Special to The Times-Dispatch.) FOREST, VA., January 13.—Frank, the eldest son of Mr. and Mrs. Emma M. Hamner, of Amherst, Va., died at their home Tuesday morning, the 14th instant, of typhoid pneumonia, after an illness of several weeks. He was a promising boy, and was a student of the Randolph-Macon Academy at Bedford, where he was taken ill. Tivis Colley. (Special to The Times-Dispatch.) FREDLING, VA., January 13.—Tivis Colley, a well-to-do farmer of the lower end of this county is dead of pneumonia fever. Mr. Colley was the Democratic candidate for the sheriff of the county a few years ago, but was defeated by a small majority, after a hard-fought campaign. John L. Lewis. (Special to The Times-Dispatch.) WARSAW, VA., January 13.—John L. Lewis, aged seventy-five years, a prominent farmer of Village, Northumberland county, died this morning at 10 o'clock, after an illness of several months. He is survived by a widow, seven sons and one daughter. Mrs. Michael Germann. (Special to The Times-Dispatch.) ALEXANDRIA, VA., January 13.—Mrs. Germann, wife of Michael Germann, died this morning at the age of eighty-five. Besides her husband several children survive.

DEATHS RENNOLDS—Died, last night at 8:45, in New York, of pneumonia, Mrs. T. J. RENNOLDS, wife of T. J. RENNOLDS, of New York, formerly of this city. The remains will be brought to Richmond for interment. Funeral notice later. TYLER—Died, at the Soldiers' Home, Wednesday, January 15th, at 10:10 A. M., SAMUEL GILES TYLER, in his sixty-third year. Funeral THIS (Friday) AFTERNOON at Home Chapel at 2:30. Interment in River View. He leaves two children—Walter A. and Annie Bell.

CHARLES R. ADAMS. (Special to The Times-Dispatch.) WINCHESTER, VA., January 16.—A telegram from Victor, Cal., announces the death of Charles R. Adams, son of John Dean Adams, of White Hall, this county. Mr. Adams graduated from Washington and Lee in 1905, and only recently entered the service of the United States government. He was twenty-six years of age. His remains will be brought to Winchester. Morris Lobby. (Special to The Times-Dispatch.) LYNCHBURG, VA., January 15.—Mr. Morris Lobby, aged seventy-seven, a native of Lynchburg and until recent years a resident of the city, died this morning at Bedford Springs, where he has been living since leaving the city. Mr. Lobby was formerly a tobacco dealer in Lynchburg, and was

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