COURT DECISIONS.

Notes of Cases Recently Decided, Which are of Interest to Our People.

DIGESTED BY W. B. MARTIN. (Exclusively for Virginian-Pilot.)

DEVISE IN TRUST FOR A MORA-

CHURCHES IT IS A LATENT AM-BIGUITY EXPLAINABLE BY PA-

IF THE AMBIGUITY IN A WILL IS AS TO THE TRUSTEE AND NOT THE BENEFICIARIES EQUITY WILL NOT ALLOW THE TRUST

INDEFINITENESS, AND IS GOOD ALTHOUGH THE CHURCH AND

THE TRUSTEE IN SUCH CASE SHOULD HOLD THE FUND UNTIL

vided that two acres of land e purchased, and "that a brick to be established in consequence of the will, and, it sufficiently definite, they have always been upheld. Certainly we know of none declared void on the ground assigned in this exception.

we know of none declared void on the ground assigned in this exception.

"(3) That 100 acres of land are directed to be bought, and one acre allotted, each, to parties incapable of enforcing the trust." A devise "for the establishment of a free school or schools for the benefit of the poor of the county" was held valid (State v. McGowan, 24 N. C. 9; Hunt v. Fowler, 121 III. 269; 12 N. E. 331, and 17 N. C. 210. A devise to "A., bishop of N. C., and his heirs, in trust for the poor orphans of the State of North Carolina, and the said bishop and his successors have the right to select such orphans," was upheld by Pearson, C. J., in Miller v. Atkinson, 63 N. C. 537. A gift to trustees, "to be by them applied to the payment of tuition money for such poor children as the trustees may designate," was sustained in Newton Academy v. Bank of Asheville, 101 N. C. 488, 8 S. E. 174; and the interest on the fund to be applied for the "educating of poor mutes" was treated as valid in School for Deaf and Dumb v. Institute for Deaf, Dumb and Blind, 117 N. C. 164, 23 S. E. 171, "Each member of said church not to exceed 100," is sufficiently definite.

"(4) That the will altempts to provide for the education of the children of the indefinite persons, to whom the one acre of land is given." The parents beling ascertalnable, as above said, this exception is untenable.

It is contended that there are geveral exists in North Carplina in which charitable Deducsts were declared invelid.
But these were very different from the one now before the court. Nor does the validity of charitable devises depend upon whether St. 43 Eliz. c. 4, "Charitable Dequests were declared invelid.
But these were very different from the one now before the court from the one have the court of the court of

M' DOUGAL V. MUSGRAVE.

EXPRESSLY RESERVING A LIFE ESTATE TO HERSELF, THE RE-AND VOID, BUT GOOD.

On the 26th of February, 1881, Mary M. McDougal conveyed to T. T. McDougal, of Ritchie county, W. Va., a certain lot in the town of Harrisville, in said county, known as "Lot No. 6," in consideration of the sum of \$106, the habendum of said deed being in the following words: "To have and to hold said real pstate and premises, with all the right, title, and interest of the said Mary M. McDougal, unto the said T. T. McDougal, his heirs and assigns, forhe title to the property hereby con-

and what remains is called the "rco demanded of him, he was told to get dendum," in reference to which Devilue off the train, which he did, without on Deéds (volume 1, section 22) says:

"The clause of reddendum generally follows the habendum, and is used when anything to the train a person standing by observed the conductor's check under Price's sunshing.

Roses bereft of sweet nature's perfume; Love is the guide mark to those who

Of waiting and watching in darkness and gloom,

Love to the heart is like dewdrops to violets

Left on the dust-ridden roadside to die:

Love leads the way to our highest endeavors.

Lightens and heavy Lightens and lessens the path of each

left leg at Pinner's Point yesterday was removed to St. Vincent's Hospital where Dr. Freeman, surgeon of the Southern Railway, attended him. The wounded man is about 21 years old. It was so seriously hurt that he was un able to tell where he was employed.

SIX MORMAN ELDERS.

CAUSE SERIOUS TROUBLE IN TENNESSEE.



, Stencil and Stamp ads, Daters, etc. PHŒNIX Slamp and Stencil Works,

The-First-of-September Need.



Unless you are ready to jump into a fall suit (in which case you'll find a good assortment of new styles ready and waiting here for you) you are most interested in the Trousers question. The special sale of Separate Trousers is still on—

good variety of patterns—and most excellent values in each of three lots—some nearly twice, as good as the

Values at \$3.00 for \$1.50. Values at \$4.00 for \$2.00 Values at \$6.50 for \$3.25.

There are fewest of the \$1.50 lot. Come on, you big men-from 37 to 46 sizesand have the benefit of a bargain that you are often denied because of your size. These patterns you may be sure are such as you'll look well in—and they are regular \$10 Suits—OUR Suits. Choice for—

\$5.00.



Those "Waldron" Derbys are a special make for us. Light weight, fall shapes, and \$1.35 is less than we can sell them for all the season. The finer grades of Hats-Derbys and Fedoras-are in and coming.

Saks & Company.

SPECIAL.

Attorneys: All forms of Court Bonds

STARCH...... 31/20 POUND S BARS ASSORTED SARAH SOAP...250

VIRGINIA GROGERY GO.,

issued promptly in the AMERICAN BONDING AND TRUST CO. Call at office of

THE

PLAID

These big "Highland Plaids" will be the subject of much "Skirt converse" this fall. The talk has already begun. Great big rich, stylish ones are shown in profusion. Buy your Plaids now. The craze for them is kindled, and soon it will reach excessive heights. We are showing those rich ones

CRAZE!

and more are on the way. The new store is ever on the qui vive for glimpses of every charming innovations of expert fashionists. Think of this store as a place for "newness" com-bined with "inexpensiveness." No worthless, trashy stuffs enter here; only desirable kinds. Follow us on through:—

Topic for Fall— Dress Goods.

This is a subject which every shrewd and intelligent buyer should be carefully considering, because-it is wise. The "rarest" and "choicest" creations are invariably included in the "earliest" arrivals. Will you be an early bird? Of course you will.

Here are some early ones :-

58-inch newest colored Melrose Suitings, \$1.00 a yard. For suits and skirts, you know. They have all the stylish touches of fashion.

58-inch new Covert Suitings with rich plaid backs, for tailor-made suits, Prices \$2.50 and \$3.50 a yard.
Golf Plaids! Big, stylish Grey
Mixed Plaids for Skirts 58 inches wide

(that's extra wide too). Prices \$1.00 and \$1.50 a yard. Black Granite Cloth! A fancy weave in black, 42 inches. Price 75c. a yard.

Have you seen the Russian Serge? It's one of the most durable fabrics in black, measures 48 inches in width, Price 75c. a yard. Positively it's one f the greatest offers. We have opened our line of

purchase. Popular prices pre-

Foes of the Cold -- A Woman's Delight | They must fit—

Farewell to Summer. The business world is bidding adieu to Summer, and but every one admires the beautiful. is waiting to greet the rapidly approach-ing Fall. It'll soon be here with cutting cold and chilling winds. We've pre-pared for it though. Blankets and Quilts have already found way into the "new store." Won't you prepare for it

too? Be wise. Your opportunity:—
"The Dozier" pure wool, soft and heavy, 11-4 Blankets, \$3.98; 12-4, \$5.00

"The Dozier' soft and extra heavy pure wool 12-4 Blankets, \$6.89 a pair. 11-4 White Wool Blankets at \$2.89 a

Olympia Quilts, light, artistic and fluffy, \$2.00 and \$2.50. Satteen and silkoline coverings.

Eiderdown Quilts, made of pure down, covered with fine French satteen. Price \$4.69. Rich, artistic All-silk Eiderdown Quilts, \$10.00 and \$11.00. Beautiful

Blankets and Quilts | — Rich Drapings.

but every one admires the beautiful. Adorn your house with harmonizing drapings in a pleasing and beautifying style, and every one entering will admire the arrangement. You can do it at a little cost. Then why not?

Try these:

A new drapery! It's a corded material, measuring 48 inches in width; design of vari-colored stripes contrasting richly. Price 50c. a yard. For Portieres. New reppe portieres in pleasing color combinations at \$3.98, \$4.69 and \$4.98 a pair. Excellent quality. 36inch silk drapings, 50c. a yard. Bright backgrounds; fancy designs, rich, fantastic and beautiful. Big, bright-figured denims in many pretty colors, 15c. a yard. See the silkolines at 10c. Silk

Gloves and Corsets Table Linens.

In the legion of things that constitute the toilet, these two are most important. They must fit-and fit perfeetly, else grace, beauty and symmetry are sacrificed. These two have that special disfinction and reputation of "fitting perfectly." Here are the brands: The kid glove branded "Perfection" is a soft, flexible glove; durable; made in black, white and the stylish colors; lacings and clasps. Price \$1 a pair. "The Dozier" Kid Glove, made by the great Italian glove artist, Maggioni Francisco, stands eminently above all in excellence and durability in the glove realm. Made in black, white and new colors; lacings, buttons and clasps. Prices \$1.50 and \$2 a pair. American Lady Corset. Every inch of this corset fits. Well made of superior material, and in various lengths. Prices \$1 and \$1.75 a pair.

Indispensables—

Among the many essentials of a d ing room, table linen is indispensable. The table will be far more charming; the viands more tempting, and the repast of much more enjoyment if a snow-white damask glows 'neath it all. These few and the prices: 56-inch silver-bleached. damask; all linen. Price 45c. a yard. 72-inch snow-white pure linen damask; all linen; beautiful patterns, ranging from 59c. and up to \$2 a yard.

Superior quality damask napkins to match the damask at \$1 and up.

Large size all linen damask towels; extra size. Price 25c. In hemstitch or

Fast colored table cloth, in plain red; red and white and blue and white checks, at 25 and 40c, a yard. See our linen Turkish bath towels!

They are extra sizes, thick heavy and durable. Prices 50 and 75c. a yard. The prices on all these goods are guaranteed to be on a level with the

Our new Fall Furs, Capes

OZIBR

and Coats have arrived. We invite you to see them. It will afford us pleasure to show them to you, whether you buy or not. That's our method and

Fall and Winter Underwear for Men, Women and Children -a line with all weights, classes and styles. Make an early

colorings.

206 Main Street, Academy of Music Building, - - - -