

THE NEWS OF NORFOLK ON PAGES 2, 3, 5 & 6.

COURT DECISIONS.

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

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

BURNBY V. ALLEN.

Supreme Court of North Carolina.
November 28, 1899.

A TESTATOR MUST ACTUALLY
HAVE SEEN, OR BEEN IN POSI-
TION TO SEE, BOTH THE WIT-
NESSES AND THE WILL AT THE
TIME THEY SIGNED IT.

IT IS NOT NECESSARY FOR THE
TESTATOR TO REQUEST THE
WITNESSES TO SIGN, IF SOME
OTHER PERSON DOES SO, OR HE
ACQUIESCES OR APPROVES IT
BY HIS CONDUCT.

The question in this case was as to
the proper execution of a will by the
testator.

The points decided will appear from
the opinion of the Court.

The Court says:

We are of the opinion that there was
no error in the instruction of his honor
which we have been considering, and
that the principle announced in *Graham v. Graham*, supra, is the correct
one. The decedent must be in such a
situation—such a position—as will en-
able him, if he will look, to see the pa-
per writing which he has signed, as it
is being subscribed by the witnesses.
He must have the opportunity, through
the evidence of ocular observation, to
see the attestation of the paper from
the position or situation in which he is,
if he will look, and this so as to ex-
clude the almost impossibility of a sub-
stitution of the paper which he has
signed with another by some other per-
son. In the case before us, it does not
appear whether the decedent was able
to turn his head to one side or not. Two
of the witnesses said that if he had
turned his head to one side, he could
have seen the paper. If he could have
done so without risk or danger, or not
contrary to his physician's advice, and
was of testamentary capacity (and
there is no proof before us to the con-
trary), then there was a compliance
with the statute in reference to the at-
testation. But even if he was of testa-
mentary capacity, and there was no
fraud or undue influence, yet, if he was
unable to partly turn his head, so that
he might look and see the paper writ-
ing as it was being subscribed, the at-
testation was not according to the re-
quirements of the statute.

The court further instructed the jury
"that the deceased must have actually
requested the witnesses to sign the pa-
per writing as witnesses, and if the
jury should believe from the evidence
that he did not so request them, or
either of them, then the paper writing
was not properly executed as a will,
and they should answer said issue,
'No.'" We think the instruction was
given in language too broad, and that
it was therefore erroneous. There is
nothing in the statute (Code, section
2126) which requires that the decedent
shall ask or request the witnesses to
subscribe; and we can see no reason
why the draftsman of the will, or any
other person, in the presence of the
testator, and with his acquiescence and
approval, and with a clear knowledge
of what is going on, should not make
the request of the witnesses to sign the
script. Nor can we see any good reason
why the request should not be implied
from the testator's conduct or well-un-
derstood signs. Such implied requests
have been frequently held by the courts
to be sufficient. Reversed.

PAHMEYER V. MEYER.

Court of Chancery Appeals of
Tennessee,
May 27, 1899.

WHERE A WIFE KNEW HER HUS-
BAND WAS APPLYING FOR A
LOAN AND WAS TO CONVEY HER
SEPARATE ESTATE TO SECURE
IT, AND SHE MADE NO CLAIM
THEREON, SHE IS ESTOPPED
AFTERWARDS TO CLAIM IT.

The point decided is shown by the
opinion of the court.

We think there was no error com-
mitted by the chancellor in holding
that this property was not the separ-
ate property of Mrs. Pahmeyer. We
feel constrained to hold that the tes-
timony of Mrs. Pahmeyer is of such
a nature as that a court could not base
any decree upon it. The testimony of
Mr. Pahmeyer in this case is so far as
he gives any testimony, in many ma-
terial particulars contradicted by the
testimony of his wife. In addition to this,
it clearly appears, we think, from the
weight of the evidence, that before
the loan was made to Mr. Pahmeyer,
to secure which he mortgaged this prop-
erty, Mrs. Pahmeyer was cognizant of
the fact that he was applying for the
loan, and that this property was to
be conveyed to secure it, and that she
then made no claim to it. If this be
true, she is clearly estopped, under all
correct principles of equity, to assert
a title to it as her separate property,
against the claim of the creditor who
loaned his money upon the faith of it
as a security for its repayment.
Affirmed.

Master Plumbers Elect Officers.

The annual meeting of the Master
Plumbers was held at their rooms on
Plume street last night, with a full at-
tendance. The following officers were
unanimously elected: J. J. Lawler,
president; James R. Guy, vice-presi-
dent; R. F. Lawler, secretary; T. J.
Carey, treasurer; Steve O'Connor, ser-
geant-at-arms; E. F. Guy, C. L. Fos-
ter, A. W. Camp, trustees.
After the meeting had adjourned an
elaborate menu was served by Steve
Bellinger.

BRIEF ITEMS OF INTEREST.

Sunshine Circle of King's Daughters
will meet at Mrs. Tweddel's, Boilevain
avenue, Ghent, this afternoon at 4
o'clock.

There will be a parlor social given by
the W. C. T. U. at Mrs. Henry Parker's,
No. 104 Charlotte street, this evening,
from 8 to 10 o'clock.

The Lady Somerset Y's will hold their
regular weekly meeting at the First
Baptist Church this evening. All mem-
bers are asked to attend, as business
of importance will be considered.

M. E. A. Page and wife left yesterday
for Richmond on a visit to friends.
The statement that Miss Maggie Mc-
Fall, of this city, and Dr. C. L. Carlie,
of Columbus, O., were to be married at
the First Baptist Church, this city, at
4 p. m. yesterday, turns out to be un-
founded.

The Real Estate and Stock Exchange
has removed from its old quarters to
No. 255 Main street.

ATLANTIC CITY.

At the monthly meeting of the Home
Mission Society of LeKlies Memorial
Methodist Church the following report
was presented of work done in Decem-
ber: Visits to the poor, 18; visits to the
sick and strangers, 8; garments in good
condition given away, 36; money raised
for funeral expenses, \$29.50; provisions
given, worth \$7.50; also two large
baskets of food, value not given, and
one-quarter of a cord of wood.

A canvassing committee of three was
appointed to request the appointment
of like committees from the other
churches in the ward, and with their
co-operation to make a house to house
canvass of the ward, seeking out the
poor and sick and strangers, learning
the church preferences of non-church-
goers, inviting the children to Sunday
school and learning if they attend day
schools.

Rev. John H. Dickinson, of Emman-
uel Chapel, gave the society an account
of some of his experiences in charitable
work. He recommended the need of
washed and unshined, and pointed out the
danger incurred by indiscriminate giv-
ing. He said it is always right to
thoroughly investigate a case before
giving what is asked. It is much bet-
ter to put the spur to a family, so
they will clean up and get work, than
to give them supplies and leave them
idle. Only the plainest of useful cloth-
ing should be given; no cast-off gar-
ments of any kind. The whole aim
should be to help the unfortunate to a
place where they can help them-
selves.

WEEK OF PRAYER.

The union week of prayer service will
be resumed at 8 o'clock to-night at
LeKlies Memorial M. E. Church. The
speaker is Rev. E. E. Dudley, of Con-
tral Avenue Baptist Church, and his
subject is "America for Christ."

BRAMBLETON.

A very interesting revival service was
held at the Christian Memorial Temple
last night.

The Fifth Ward Democratic Club will
meet in regular weekly session to-night
at their club-rooms, West Brambleton
avenue. A full attendance of members
is desired, as business of importance
will be transacted.

There was a fairly good attendance
upon the services at the Methodist,
Presbyterian and Baptist Churches last
night.

Oronoco Tribe of Red Men held a
very enthusiastic meeting at Ingram's
Hall last night. Several applications
for membership were received. This
tribe is growing rapidly in numbers and
influence in the ward.

The introductory degree will be confer-
red upon several candidates at the
meeting of Homony Conclave, Hepta-
soph, or S. W. M., to-morrow night.
This new arm of the order, instituted in
this city little over two months ago,
has added about 25 new members to its
charter list under the dispensation
granted by the Grand Conclave of Vir-
ginia.

LAMBERT'S POINT.

The article in yesterday's issue on
the coal blockade at Lambert's Point
has brought out some additional facts
and minor corrections. Castner, Cur-
ran & Bullitt deny that there is any
delay to steamers, coal cargoing or
bunker, which has been admitted, and
state that there will be no cessation of
demurrage paying on chartered vessels.
It is further claimed that the blockade
is not an unusual one at this time of
the year, and that Norfolk is still bet-
ter off than any other coal port in her
ability to handle coal vessels expedi-
tiously. If there is no lossage to ship-
pers, to ship owners, nor to the city,
then the situation is, as is claimed,
purely normal.

It is a known fact that never in the
history of the port has so many large
coal cargoes, nor so many bunker
steamers, been handled as in the past
few months, and the coal shipments for
1899 will far exceed those for the
year previous.

Sidney Lanier All Right.

Sidney Lanier, a youth answering the
description of a lad who ran away from
his home in Roanoke, was turned over
to Chief of Police Kizer yesterday by
Superintendent Walton, of the Union
Mission.
Lanier said he was 15 years of age,
and came to this city from Statesville,
N. C., in search of work. His state-
ment was verified by a dispatch from
Gatesville, and he was given his lib-
erty.

Police Court Trial and Judgement

Judge Andy E. Calhoun, of the police
court of Atlanta, Ga., recently passed a
sentence of much importance to dyspep-
tics. Here it is:
"I am a great sufferer from nervous
sick headache and have found no remedy
so effective as Tyner's Dyspepsia Remedy.
If taken when the headache first
begins it invariably cures." A. E. CAL-
HOUN.
Price 50 cents per bottle. At all drug-
gists, or sent for price expressed paid, by
Tyner's Dyspepsia Remedy Co., 45 Mitchell
street, Atlanta, Ga.
Send Five Cents in stamps, to pay post-
age, for sample, free.

AMUSEMENTS.

WILBUR-KIRWIN OPERA CO.

It can be truthfully said that this
company gives a better entertainment
for the price of admission than any
other company on the road. It is com-
posed of decidedly clever people, who
sing well, act well and look well. The
voices are fresh, of fine quality and
thoroughly trained, and the action
moves smoothly and with spirit.

"The Queen's Lace Handkerchief,"
which was the attraction last night,
was presented in a manner which could
not fail to please, and the large audi-
ence present did not fail to manifest
its appreciation. Miss Kirwin is sup-
ported by a strong company, good
soloists, good comedians and a well-
balanced chorus, the female portion of
which is composed of decidedly pretty
girls. The dressing of the opera was
also a noteworthy feature.

Several very pleasing interpolations
added much to the enjoyment of the
audience, as did also the several vaude-
ville features introduced between the
acts.

This afternoon "The Queen's Lace
Handkerchief" will be repeated, and to-
night "The Black Hussar" will be the
attraction.

"THE LITTLE MINISTER."

The sale of seats for the engagement
of "The Little Minister" at the Acad-
emy of Music Tuesday, January 16th,
will commence Saturday morning at 9
a. m. Prices range from \$1.50 to 25c.

M'FARLAND, THE BANJOIST.

The Los Angeles Times: "In his
hands the banjo receives a soul and
responds to his touch with all the
sweetness and pathos of the violin and
other instruments." The San Fran-
cisco Chronicle pronounced Mr. Far-
land's tone "surprisingly new and de-
lightful." Mr. Farland has demon-
strated the fact that the modern banjo
is one of the most soulful instruments
in use. No instrument is capable of a
greater variety of musical effects, and
no other appeals so directly to the
hearts of the people. As Julian Haw-
thorne has said, "Its music is the mu-
sic of nature ordered and humanized."
Mr. Farland will play here on the
16th, at the Y. M. C. A. Hall.

Miss L. Russell, Norfolk's popular re-
citer, will favor the audience with sev-
eral of her best selections. This com-
bination will make an entertainment
of rare merit which none should miss.

The Best Prescription for Chills

And Fever is a bottle of GROVE'S
TASTELESS CHILL TONIC. The formu-
la is plainly stated on each package. It
is simply Iron and Quinine in a tasteless
form and is compounded in correct pro-
portions. The reason doctors do not ad-
vertise their formula is because they
know you would not buy their medicine
if you knew its ingredients. Grove's is
the original, and is the only chill and fe-
ver remedy sold throughout the entire
maritime section of the United States.
No cure, no pay. Price 50c.

Confederate Veterans.

Pickett-Buchanan Camp, Confederate
Veterans, held a special meeting in
their hall at 8 o'clock last evening, and
perfected arrangements for the ob-
servance of General R. E. Lee's birth-
day by a banquet on the evening of the
19th instant.

The committees on finance, banquet,
orator and toasts reported progress,
and the camp ordered that the arrange-
ments be carried out, as in previous
years.

The Light Contract.

The Light Committee of Councils held
a meeting yesterday afternoon and ap-
proved the contract with the Norfolk
Railway and Light Company to fur-
nish city lights for three years, from
September 1st, this year. The contract
now goes to the Finance Committee,
which has authority to fix the amount
of the bond to be given by the com-
pany.

PUBLICATIONS RECEIVED.

THE SOUTHERN PLANTER.—We
take pleasure in acknowledging the
receipt of the January number of the
Southern Planter. This popular month-
ly, which is devoted to practical and
progressive agriculture, horticulture,
trucking, live stock and the fireside,
celebrates the sixtieth anniversary of
its existence with this issue. We wish
the Southern Planter, of Richmond,
Va., many prosperous years.

1844 1899



The Up-to-date
"Effervescent"
perfected by the experience
of fifty-five years.
The only pleasant and always
effective cure for headache,
indigestion, constipation and
their sequelae, known to the
medical world, 50c. and 1c.
TARRANT & CO., Chemists, New York.

ROLLER SKATES

Full supply just received. Meat Cutters,
Sausage Stuffers, Banner Oil Heaters,
Chicago Air-tight Wood Heaters and a
complete assortment of Hardware at bot-
tom prices.

YOUR TRADE SOLICITED.

P. J. MALBON,
109 Commercial Place
Both Phones No. 401.

MONUMENT TO FATHER RYAN.

MOVEMENT OF NORFOLK DAUGH-
TERS OF CONFEDERACY
ENDORSED.

The Pulaski News Review of Tues-
day contains the following, based upon
recent publication in the Virginian-
Pilot of the action of Norfolk Daugh-
ters of Confederacy:

It will be gratifying to the thousands
of admirers throughout the South of
Father Ryan the poet-priest, to learn
that the Daughters of the Confederacy
have inaugurated a movement to erect
a monument to his memory in Norfolk,
the reputed birthplace of the poet
laureate of the Confederacy. Many
statues and shafts have been erected to
commemorate the glorious achieve-
ments of our military leaders. Why not
let us now show our appreciation of the
one who rang so sweetly, yet so sadly,
of the land he loved? Father Ryan
holds a place in the hearts of Southern
people far above that of any other
American poet. Let them be true to his
memory, and erect such a memorial as
will be a just recognition of the great
genius and Southern patriot.

A biographer pays this tribute to
him: "Father Ryan had the essential
gifts of the true poet. The indications
are that, had he exercised his powers
to the utmost, another American poet
would have shared the laurels of Poe.
The poetic spirit, the poetic mind, and
the vivid expression that is born of
these were his to a high degree. He had
the uncontrollable, divine impulse to
sing the emotions of the soul; his men-
tal grasp took in the existences of
time and eternity, the wondrous rela-
tionships of man with the Creator and
with his own kind; and his voice utter-
ed the soul's thought musically, often
with unusual grace and power."

The project of erecting the monu-
ment, as above stated, is in the hands
of the Daughters of the Confederacy,
of whom Mrs. James Y. Leigh, of Norfolk,
is State president.

A committee has been appointed to
reclaim the plot in Elmwood cemetery,
Norfolk, where lie the unknown Con-
federate dead. This will be handsomely
fenced with stone bayonet spikes and
cannon balls. The monument of the
poet-priest will occupy the exact cen-
ter of the resting place of the unknown
dead.

Young Daughters of Confederacy

At the regular monthly meeting of
the Young Daughters of the Confed-
eracy, held yesterday, Miss Wilkinson,
who had charge of the annual doll sale
under the auspices of this organiza-
tion, reported that the sale netted \$78.
The proceeds were devoted to assisting
Confederate widows. Twenty-two
widows were sent bags of flour, sugar,
coffee, tea and rice Christmas.

Lecture on Architecture.

Mr. C. W. R. Russell yesterday deliv-
ered a lecture on "Architecture in Re-
lation to the Races of Men" before the
faculty and pupils of the Art Class of
Mary Washington College. His talk,
which consumed about forty-five min-
utes, was listened to by an unusually
large number of people, and was high-
ly complimented by members of the
faculty, in conversation over the phone
with the Virginian-Pilot last evening.

OTHER LOCAL ON PAGE 6

FOR RED ROUGH HANDS FOR ITCHING PALMS



FOR PAINFUL FINGER ENDS

ONE NIGHT TREATMENT.—Soak the hands
thoroughly, on retiring, in a hot lather of
CUTICURA SOAP. Dry, and anoint freely with
CUTICURA ointment, the great skin cure and
purest of emollients. Wear old gloves during
the night. For sore hands, itching, burning
palms and painful finger ends, this one night
treatment is wonderful.

WOMEN Especially Mothers are most competent
to appreciate the remarkable cleansing,
purifying and emollient properties of CUTICURA SOAP
and to find new uses for it daily.

Sold throughout the world. PATTER D. AND C. CORP.,
Proprs., Boston. "How to Have Beautiful Hands," free.

FOR A GOOD BOY!



A Good Suit of Clothes or Over-
coat. A Sensible Christmas Pres-
ent.
You cannot appreciate the val-
ues and appropriateness of our
assortment of Presents for Gentle-
men unless you see them.

Dunston & Silverwood
DRESS SUITS FOR HIRE.
407-eod-1m

IT'S A GREAT OCCASSION!

This Wonderful
Over-Value-Giving
Marked-down Improvement Sale

OF OURS, But we must reduce our stock immediately
to make moving an easy matter

Read Again— Some of these offering:

\$16.00	Brighton Tweeds, real Derby Mixtures, cut in double and single-breasted sacks, good values at \$30, \$28 and \$25, are now offer- ed at Sixteen Dollars.	\$16.00
\$11.00	Suits and Overcoats in fleming-bone, Oxford, Thibet Vicuna and Cover Cloths, well worth \$15.00 and \$16.50, now offered at Eleven Dollars.	\$11.00
\$9.25	Gray, Black, Checks and Brown Plaids, all nob- by effects, unobtainable elsewhere, under \$15.00 and \$12.50, are now offer- ed at Nine Dollars and Twenty-five Cents.	\$9.25
\$6.75	Look the values over in this particular lot and see what Six Dollars and Seventy-five cents will buy.	\$6.75

The Pants Sale Is Still Running!

All Pants worth up to \$2.50, for	All Pants worth up to \$3.50, for	All Pants worth up to \$1.50, for
\$1.57.	\$2.21.	\$2.84.
All Pants worth up to \$5.50, for	All Pants worth up to \$4.50, for	All Pants worth up to \$7.50, for
\$3.15.	\$4.09	\$4.23.

Saks & Company.

The Chance of a Lifetime!

WATCHES, DIAMONDS, JEWELRY,
SILVERWARE, CUT GLASS,
CLOCKS, &C., AT ACTUAL COST.

WE MUST dispose of our stock. The building is to be torn down, and
we have no place to move the goods. We must sell them; you can have
them at manufacturers' prices.

NEW SILVER HEARTS JUST IN.

Everything reduced. Ladies' Gold Watches, formerly \$20.00, now \$14.75.
\$25.00 Watches reduced to \$20.00.

LOOK AT OUR WINDOW and see what we offer for 75c; many
articles worth \$1.50 and \$2.00 each.

DR. H. W. SHELLEY, EYE SPECIALIST FROM BALTIMORE, can
be found at our store every day from 2 to 6 p. m. for the EXAMINATION
OF EYES, for which he makes NO CHARGE. Glasses at moderate
prices.

GHAPMAN & JAKEMAN,

Cor. Main and Bank Sts.

McCurdey's White Pine Tar and Wild Cherry Syrup
FOR COUGHS, COLDS AND BRONCHITIS!

We make this Cough Syrup ourselves. We make it of the very purest, freshest
and most reliable drugs.
We make it in small quantities. When you buy it you get it as it ought to be—
it hasn't lost all its virtues by standing around on shelves and in warehouses for
months or years.
It not only ought to cure—it positively does cure. 25c. a bottle.

McCURDEY & McCURDEY,

PRESCRIPTION PHARMACISTS,
406 Main Street, Opp. Hotel Norfolk. 733 Church Street, Cor. Calvert.

This Label

GUARANTEES PROTECTION

To the man wearing the garment to which it is attached against the
possibility of unstylishness, misfit or unserviceable fabric. No better clothes,
no better linings, no better tailoring, no more tasteful trimming.

NO MORE PERFECT FIT.

can be given by the tailor who makes to measure, and you have to pay him
twice as much as we ask for STEIN-BLOCH clothing. Call and see them
we are sole agents.

DREWREY'S, 317 Main Street.

NOTICE!

B. S. Campbell has opened
his New Gallery, 268-270
Main St.,

Over Vickery's Book Store.

He has no connection with
any other gallery and all tick-
ets now out will be redeemed
at his new place of business.
B. S. CAMPBELL.

John L. Roper, President.
Tazewell Thompson, Treasurer.
Louis T. Dobbie, Secretary.

THE
Seaboard Fire Insurance Co.,
211 MAIN STREET.
Transact a general insurance business
through its agency department.