

BIG LUMBER SUIT ENDS

Right of Lessee in Virginia To Extend Contract Upheld.

IMMENSE TRACTS ARE INVOLVED

Judge West Decides That the Camp Lumber Company May Have Ten Years in Which to Cut Several Million Standing Feet.

PETERSBURG, VA., April 22.—Judge I. J. West, of the Third Judicial circuit of Virginia, has handed down a decision in the County Circuit Court of Brunswick in probably the most important timber case which a court in Virginia has ever been called to pass upon.

There were two suits, which were heard together by consent under the style of the Camp Manufacturing Company vs. William A. Young and R. B. Wright vs. the Camp Manufacturing Company. Young and Wright are both citizens of Brunswick county. The Camp Manufacturing Company is one of the largest manufacturers of lumber in the South. It owns large mills in Virginia, North Carolina, South Carolina and Florida. It owns 900,000,000 feet of standing timber in 16 counties in Virginia and North Carolina. The capacity of these mills in Virginia alone is more than 300,000 feet a day. These suits involve the construction and validity of a certain form of timber deed under which the Camp company holds title to about \$1,000,000 worth of standing timber. This deed provides that the grantee shall have five years in which to cut and remove the timber within said time it shall have such further time as it may desire by paying interest on the purchase money at the rate of 6 per cent. per annum from the expiration of the said period of five years until the timber is removed. The period of five years had expired, and it was contended that the extension clause was invalid and void for uncertainty and indefiniteness, and for the further reason that it violated the law against perpetuities, and that therefore the title to the timber had reverted to the grantors.

The case was hotly contested and ably argued by Braxton, Williams & Eggleston, of Richmond, and R. T. Thorpe, of Norfolk, for Young and Wright, and by John C. Parker, of Franklin, Va., and E. P. Buford and R. B. Turnbull, of Lawrenceville, for the Camp Manufacturing Company, some months ago. Judge West, in rendering his decision today, held that the extension clause was valid for indefiniteness and uncertainty; but that it was the intent and purpose of the parties, as shown by the language used in the deed, that the title to the timber should not revert to the grantors at the expiration of five years and that the title was still vested in the Camp Manufacturing Company and that company was entitled to a reasonable time in which to cut and remove the same. Judge West decided, in view of the language used in the contract, the character and extent of the operations of the Camp company's business and of the circumstances surrounding the parties at the time the contract was made, 10 years would be a reasonable time in which the Camp company should

remove the timber.

Judge West further held that the Camp company should pay interest on the purchase money according to the terms of the deed.

This decision is regarded as one of great importance to the lumber interests of Virginia and North Carolina, the points raised having never been passed upon by the Supreme Court of either of these states. A suit involving the validity of the same contract or deed is now pending in the Supreme Court of North Carolina, and the Brunswick cases will be appealed from the decision of Judge West to the Supreme Court of Appeals of Virginia.

EX-SENATOR BARKSDALE DEAD AFTER LONG ILLNESS

Well Known Lawyer and Former Member of the Legislature Passes Away at Houston.

RICHMOND, VA., April 22.—A telegram received in this city today from Marshall B. Booker, clerk of the Senate, announces the death of ex-Senator William Peter Barksdale at Houston, Halifax county.

His end came at 2:30 o'clock this morning after a long illness of tuberculosis, and the sad news will occasion but little surprise, as the worst had been feared for several weeks.

Senator Barksdale was in the prime of life when he died—only a short way in the fifties. Prior to his illness he was inclined to embonpoint, and his rotund personality had a good deal of the picturesque about it, for at all times it was illuminated by smiles and the merry twinkle in his eye. He was unmarried and a lawyer by profession.

His academic education was obtained at the Virginia Military Institute, and he loved to talk about his experiences at that famous school. For years he represented Halifax in the Senate, and as a legislator he acquired a wide reputation. This was won chiefly by his fervid, outspoken oratory, which ever was replete with humor.

As a political speaker he was often in demand, for there were few more vigorous, aggressive or persuasive stumpers. But Billy Barksdale, with all his vital energies and activities, had a way of winning friends. He likewise possessed the art of not making enemies.

Perhaps the last time he spoke in public was at the trial of ex-Judge Loving last summer, when he was one of counsel for the man who killed Theodore Ester. Despite the warnings of his physicians he then insisted on arguing the case, but his voice almost forsook him before he got through. Since his retirement from the legislature Mr. Barksdale had practiced law and been an examiner of records.

The ex-senator was a nephew of Circuit Judge W. R. Barksdale, of Halifax.

When placing in his show window the skin of a seal, showing the raw fad at one end and the various advanced steps in stripes up to the finished product at the other end, a fairer near Herald square did not know what the impression would be on those who, like one woman, after examining it critically, said, "Do we have to wear stripes like that?"

Berry Maid's Race.
(By Associated Press)
ACQUEDUCT, N. Y., April 22—Berry Maid, heavily played at 16 to 5, easily won the Avon stakes at six furlongs at Aqueduct today. Boston, a quick breaker, went out to make the pace, followed by Berry Maid, and Cohort. In the stretch Berry Maid went to the front and won by 1 1/4 lengths. Besom was second.

In The World Of Sports

American League

Yesterday's Results.

Boston 5, Washington 3.
Chicago 4, Cleveland 0.
St. Louis 7, Detroit 3.
Philadelphia 3, New York 2.

Standing of the Clubs.

Club	Won.	Lost.	P. C.
St. Louis	6	2	.750
New York	5	2	.714
Boston	5	3	.625
Cleveland	3	3	.500
Philadelphia	4	4	.500
Chicago	4	4	.500
Detroit	1	5	.167
Washington	1	6	.143

Games Today.

St. Louis at Detroit.

Philadelphia at New York.

Chicago at Cleveland.

Boston at Washington.

Brown's Timely Hitting Won.
(By Associated Press)
DETROIT, MICH., April 22—Two triples, two singles and three bases on balls in the fifth inning gave St. Louis today's game. It was the fourth consecutive defeat for the champions.

The score: R. H. E.
Detroit 2 0 0 0 0 1 0 0 3
St. Louis 7 9 3
Batteries: Summers and Payne; Bailey and Spencer. Time 1 hour and 40 minutes. Umpire, Evans.

Sex Shut Out Naps.
(By Associated Press)
CLEVELAND, OHIO, April 22—Chicago defeated Cleveland today by the score of 4 to 0. Owen was a puzzle to the locals and held them to three hits.

The score: R. H. E.
Cleveland 0 0 0 0 0 0 0 0 3
Chicago 3 0 0 1 0 0 0 0 4 8 0
Batteries: Leibold, Rhoades, Clarkson and Clarke; Owen and Sullivan. Time 1 hour and 45 minutes. Umpires—Egan and O'Loughlin.

Bunching Hits Made Victory.
(By Associated Press)
PHILADELPHIA, April 22—The opening game of the American League season took place here today, the home team defeating New York, 3 to 2. The Athletics bunched hits better than the Highlanders and won.

The score: R. H. E.
New York 0 0 1 1 0 0 0 0 2 8 1
Philadelphia 0 1 0 0 1 1 0 0 3 8 1
Batteries: Chesbro and Kleinow; Plank and Powers. Time 1 hour and 55 minutes. Umpires—Sheridan and Hurst.

Big Crowd at Washington Opening.
(By Associated Press)
WASHINGTON, D. C., April 22—A big crowd witnessed the opening game here today between Washington and Boston, the latter winning, 5 to 3. Timely hitting by McHale, Carrigan and Laporte won the game for the visitors.

The score: R. H. E.
Washington 1 0 1 0 0 1 0 0 3 7 2
Boston 0 0 2 1 2 0 0 0 5 12 4
Batteries: Smith, Falkenberg and Street; Winter, Morgan and Carrigan. Time 2 hours. Umpire, Connolly.

National League

Yesterday's Results.

Philadelphia 7, Boston 1.
New York 3, Brooklyn 2.
Pittsburg 5, St. Louis 1.
Chicago 7, Cincinnati 3.

Standing of the Clubs.

Club	Won.	Lost.	P. C.
New York	6	1	.857
Chicago	6	1	.857
Philadelphia	4	3	.571
Pittsburg	4	3	.571
Cincinnati	3	4	.429
Brooklyn	2	5	.286
Boston	2	5	.286
St. Louis	1	6	.143

Games Today.

Brooklyn at New York.

Cincinnati at Chicago.

St. Louis at Pittsburg.

Philadelphia at Boston.

Ovation For Wagner.
PITTSBURG, PA., April 22—Pittsburg defeated St. Louis in the opening game here. Wagner received a great ovation and justified the confidence in him by knocking a two base hit in the fifth inning with two men on bases.

The score: R. H. E.
Pittsburg 2 0 0 0 3 0 0 0 5 10 0
St. Louis 0 0 0 0 0 0 1 0 1 7 1
Batteries: Camitz and Gibson; McAnn and Hostetter. Time 1 hour and 30 minutes. Umpire, Rigler.

Doolin Feature of This Game.
(By Associated Press)
BOSTON, MASS., April 22—Philadelphia won today. Flaherty was wild. Doolin's fielding was the only feature.

The score: R. H. E.
Philadelphia 5 0 0 1 0 0 1 0 7 7 0
Boston 0 0 0 0 0 0 1 0 1 6 3
Batteries: McQuillin and Doolin; Flaherty, Dorner and Bowerman, Tim

Champs Win First Home Game.

(By Associated Press)
CHICAGO, April 22—The champions won their first home game in easy fashion. Coakley was wild and was hit freely in the five innings he pitched. The score: R. H. E. Chicago 1 0 0 1 3 0 0 2 7 10 1 Cincinnati 0 0 0 0 0 1 0 2 0 3 7 3 Batteries: Frazer and Kling; Coakley, Tozer and McLean. Time 1 hour and 40 minutes. Umpire, O'Day.

Donlin's Home Run Saved Day.

(By Associated Press)
NEW YORK, April 22—New York beat Brooklyn, 3 to 2, in the opening game at the Polo Grounds today. The visitors held the lead up to the final inning. Then, with two men on bases, Donlin saved the day with a home run, scoring Tenny ahead of him.

The score: R. H. E.
Brooklyn 0 0 0 1 0 0 1 0 2 7 0
New York 0 0 0 0 0 0 1 2 3 7 4
Batteries: McIntyre and Bergen; Matthewson and Bresnahan. Time 1 hour and 52 minutes. Umpire—Emmelle and Rudderham.

Virginia State League

At Norfolk—Norfolk 3, Portsmouth 0.

At Richmond—Richmond 3, Roanoke 1.

At Danville—Lynchburg 3, Danville 2.

Standing of the Clubs.

Club	Won.	Lost.	P. C.
Richmond	2	0	1.000
Portsmouth	2	1	.667
Lynchburg	2	1	.667
Danville	1	2	.333
Norfolk	1	2	.333
Roanoke	0	2	.000

Games Today.

Danville at Richmond.

Portsmouth at Norfolk.

Roanoke at Lynchburg.

Southern League.

(By Associated Press)

At Birmingham—Atlanta 5, Birmingham 4.

At Nashville—Montgomery 6, Nashville 5.

At Little Rock—Mobile 6, Little Rock 2.

At Memphis—Memphis 3, New Orleans 2.

College Baseball.
(By Associated Press.)
At Princeton—Princeton 8, Lafayette 7.
At Washington—Pennsylvania 5, Georgetown 3 (11 innings).
At Ithaca—Cornell 6, Franklin and Marshall 3.
At Middletown—Holy Cross 7, Wesleyan 3.
At Providence—University of Vermont 6, Brown 4.
At Amherst—Amherst 3, Tufts 0.
At Charlottesville—Virginia 5, North Carolina 4.

Twice as much in value of exports goes from the port of New York each day as from all of the other American ports on the Atlantic seaboard.

ACADEMY TONIGHT

Howell and Webster

ENTIRE CHANGE OF PROGRAM.

In Their Refined Singing and Dancing Act. Also Two Big Headline Feature Films of MOVING PICTURES

Follow the Crowd and be Convinced.

EXAMINATION OF TEACHERS.

The Spring Examination of teachers for the year 1908 will be held on April 30th and May 1st and 2d. The Summer Examination will be held on July 29, 30 and 31. All applicants for positions in the city schools should take the Spring Examination, as results from the Summer Examination will not be learned in time to make regular appointments for vacancies that may occur in our schools.

WILLIAM C. MORTON, Superintendent City Public Schools, 4-21-23-25-26-28-51.

OLD DOMINION BAGGAGE TRANSFER. offices, C. & O. Station, Phones, Bell, Nos. 401 and 135; Citizens No. 12. **IF.**

FOR RENT.

FOR RENT—NICELY FURNISHED flat. Apply 1st floor, Koch Building 3900 Washington avenue 4-22-11



This woman says that after months of suffering Lydia E. Pinkham's Vegetable Compound made her as well as ever.

Maude E. Forgie, of Leesburg, Va., writes to Mrs. Pinkham:

"I want other suffering women to know what Lydia E. Pinkham's Vegetable Compound has done for me. For months I suffered from feminine ills so that I thought I could not live. I wrote you, and after taking Lydia E. Pinkham's Vegetable Compound, and using the treatment you prescribed I felt like a new woman. I am now strong, and well as ever, and thank you for the good you have done me."

FACTS FOR SICK WOMEN.

For thirty years Lydia E. Pinkham's Vegetable Compound, made from roots and herbs, has been the standard remedy for female ills, and has positively cured thousands of women who have been troubled with displacements, inflammation, ulceration, fibroid tumors, irregularities, periodic pains, backache, that bearing-down feeling, flatulency, indigestion, dizziness or nervous prostration.

Why don't you try it?

Mrs. Pinkham invites all sick women to write her for advice. She has guided thousands to health. Address, Lynn, Mass.

SEALED PROPOSALS.

Sealed Proposals will be received at office Treasurer, Southern Branch, N. H. D. V. S., National Soldiers' Home, Va., until 1:30 P. M., May 18, 1908, and then opened for furnishing cake cutting and dough mixing machine, bakers' peels, ammonia anhydrous and calcium chloride; until 1:30 P. M., May 19, 1908, and then opened for furnishing and delivery of annual supplies, under Subsistence and Household; until 1:30 P. M., May 20, 1908, and then opened for furnishing and delivery of semi-annual supplies, under Current Expenses, Subsistence, Hospital, Repairs, Farm and Clothing; until 1:30 P. M., May 21, 1908, and then opened for furnishing and delivery of quarterly supplies under Subsistence, Household, Repairs and Farm, in accordance with instructions and specifications, copies of which with blank proposals and other information may be had upon application to JOHN T. HUME, Treasurer, 4-23-53.

Sealed Proposals will be received at Office of Treasurer, Southern Branch, N. H. D. V. S., National Soldiers' Home, Elizabeth City County, Va., until 1:30 P. M., May 6th, 1908, and then opened for labor and materials for repairing wharf in accordance with instructions and specifications, copies of which, with blank proposals and other information may be had upon application to JOHN T. HUME, Treasurer, 4-12-22.

Have your prescriptions filled by a graduate of pharmacy, Allen's Drug Store. Patents at cut rate. 3-22-1m

DREAMLAND THEATRE

2508 Washington Avenue. Wednesday and Thursday. MADAM BRON. The Only Lady Magician in addition to high-class moving pictures, which will be changed daily as usual. Change of vaudeville Friday.

Admission, . . 5c.

Democrats ATTENTION!

DEMOCRATIC VOTERS WHO WOULD VOTE AT THE PRESIDENTIAL ELECTION NEXT NOVEMBER, SHOULD PAY THEIR POLL TAX FOR THE YEAR 1907 ON OR BEFORE MAY 2ND, NEXT, OTHERWISE THEY WILL BE DISQUALIFIED FROM VOTING.

BY ORDER
City Democratic Executive Committee

Your Business

WILL BE INCREASED BY THE USE OF THE CLASSIFIED COLUMNS OF THE DAILY PRESS.

These little workers are business builders. You will be gratified with the returns. Others are using these columns to advantage, and you ought to be doing the same thing. Special rates on contracts for 1,000 words or more

CALL US UP TODAY.

WANTED.

WANTED—PARTY TO INVEST A small amount in a business proposition which promises a good profit. Address BUSINESS, Daily Press, 4-21-23-26

WANTED—TO BUY HAIR OF MATresses and second hand felt mattresses that can be worked over for upholstering purposes. 3400 Huntington Ave. 4-19-1f

WANTED—FIRST-CLASS PASTRY and dessert cook. Apply HOTEL NEWPORT. 11

WANTED—THOSE DESIRING first class board can obtain same at 129 Twenty-sixth street. 4-19-31.

WANTED—PERSONS DESIRING pleasant rooms, modern improvements. Phone No. 366 or call 130 Thirty-first street.

FOR SALE.

FOR SALE—SCREEN GOODS, Garden Tools, Rubber Hose, Lawn Mowers and General Hardware. GOODMAN HARDWARE CO., 2404 Jefferson avenue. Cliz. Phone 249. 4-23-1f

FOR SALE—A CHOICE LOT, ON Forty-eighth street for \$350 cash. Phone 20, Hampton. 4-19-6t.

FOR SALE—ONE PAIR LARGE young mules, two large work horses and four young fresh milk cows. J. W. ROWE, Hampton, Va. 4-16-6t

LOTS FOR SALE OR LEASE IN ALL parts of the city. Call and get prices. OLD DOMINION LAND CO., Hotel Warwick Building.

SPECIAL NOTICES.

WE HAVE PURE JERSEY MILK and Cream, Fresh Butter and Skimmed Milk every day. Try our Ice Cream. Its the smooth, velvety kind. NEWPORT NEWS DAIRY CO., 245 Twenty-eighth street, Bell Phone 120. 4-17-6t.

NOTICE TO BREEDERS—THE standard bred stallion, John Redd, 4032d, sired by Achille, 2:15 1/4; by Bugton, 2:06 1/4, and out of the great brood mare Lala F., sister to Onward Silver, 2:05 1/4, is now in stud in this city and adjoining counties. For further information, see J. F. FLAHERTY, 3308 Huntington Avenue. Phone 394. 4-12-4m.

HOW ABOUT THOSE OLD BILLS. We can collect them. Guarantee to collect or no charge. GEO. C. BLAND, Room 1, Coleman Bldg.

\$25,000.00 TO LOAN AT 6 PER cent. on Newport News Real Estate in amounts of \$200.00 or more. One to ten years. NELS & CO., Inc., 2517 Washington ave. 4-7-6t.

FOR WHITEWASH LIME, GO TO HENDRICK'S HARDWARE, 2405 Jefferson avenue, Bell phone 116. Bell phone 120. 3-15-1f.

REGULAR MEALS 25c. THERE ARE others just as good; none better. DELMONT LUNCH. 11.

WE SELL AND RENT PIANOS, cash or easy payment plan, accept second-hand pianos or organs as part payment in new instruments. Tuning and repairing a specialty. All work guaranteed. FERGUSSON MUSIC CO., 3110 1/2 Washington avenue. Cliz. Phone 95. 2-2-4m.

NOTICE TO BREEDERS—THE thorough bred horse, Twelfth Night, is now in stud at Caffee's Stables, cor. 33rd st., and Huntington avenue. 3-14-1f.

CANDIDATES CARDS.

To the Voters of Second Ward: I respectfully solicit your vote for re-election to the Common Council from the Second Ward, subject to the Democratic Primary, to be held May 16, 1908. If elected, I promise to work for your interests in the future as I have during my present term.

Very Respectfully,
GEORGE T. KELLUM.
4-17-1d.

To the Voters of Second Ward: I hereby announce my candidacy for the Common Council from the Second Ward, subject to the Democratic Primary, May 16, 1908. Your support and influence will be appreciated. If elected, I promise to faithfully discharge the duties of the office without fear or favor.

Respectfully,
G. W. TODD.
Newport News, Va., April 17, 1908.
4-17-1d.

To the Voters of the Second Ward: I respectfully solicit the support of the Democratic voters of the Second Ward at the primary to be held on Man 16, for the Common Council, and promise, if elected to work faithfully for economy and efficiency in municipal affairs.

Respectfully,
W. A. SPRUILL.
4-17-1d.

To the Voters of the Third Ward: I hereby announce my candidacy for the Common Council, and respectfully solicit the support of the Democratic voters of the Third Ward, subject to the Democratic Primary, to be held May 16th 1908, and promise if elected, to faithfully discharge the duties of the office.

Very Respectfully,
J. J. BAKER.
4-21-1d.

To the Voters of the First Ward: I respectfully solicit the support of the voters of the First Ward for re-election to the Common Council at the primary to be held on May 16th.

GEO. E. VEA.
Newport News, Va. 4-21-1d

UNDERTAKERS.

W. E. ROUSE GOOD SERVICE. My show room compares favorably with the one at the Exposition. 234 Twenty-fifth st. Phone 51.

J. HUGH CAFFEE FUNERAL DIRECTOR AND EM-balmer. Office 'Phones Bell and Cliz. No. 1. Residence, Bell No. 41. 1-30-1f.

For the Summer's Cooking

No kitchen appliance gives such actual satisfaction and real home comfort as the New Perfection Wick Blue Flame Oil Cook-Stove.

Kitchen work, this coming summer, will be better and quicker done, with greater personal comfort for the worker if, instead of the stifling heat of a coal fire, you cook by the concentrated flame of the

NEW PERFECTION Wick Blue Flame Oil Cook-Stove

Delivers heat where you want it—never where you don't want it—thus it keeps the kitchen cool. Burns for hours on one filling. Instantly regulated for low, medium or intense heat. Has sufficient capacity for all household needs.

Three sizes—if not at your dealer's, write our nearest agency.

The **Rayo Lamp** never disappoints—safe, economical and a wonderful light giver. Solidly made, beautifully nickelled. Your living-room will be pleasanter with a Rayo Lamp.

If not with your dealer, write our nearest agency.
STANDARD OIL COMPANY (Incorporated)