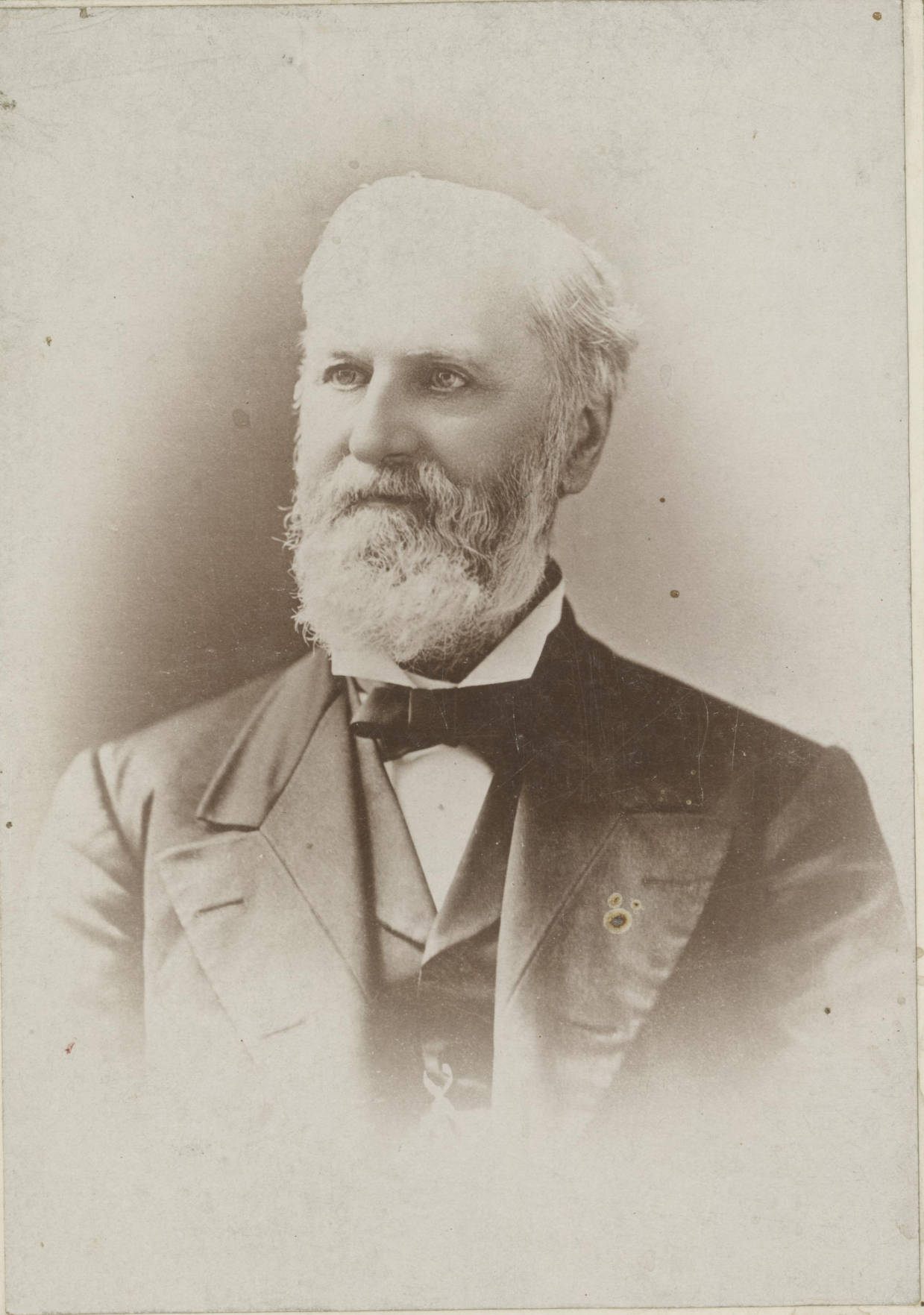


A wish.

I may
Love by hearts those
United, and mingled into one,
Fondly ~~so~~^{now} ~~keep~~ the keep still
Plighted, and dream of them alone;
Ever, for on shine love our may and
Like hope's undying ray, which
Misfortune dark or grief
Never hath power
Chase to
Away.



HOMEIER  & CLARK

*525 East Broad St.,
Richmond, Va.*

William B. Isaacs
Richmond, Virginia - Father
of Anne E. Moore,
Richmond,
Virginia



Monier & Clark

PHOTOGRAPHERS

525
EAST BROAD ST.
RICHMOND,
Va.

Duplicates
can be had
at any
Time.

Glas	2	.20
Do	-17	\$ 1.40
"	4	40
"	2	22
3 rd Party	15 th	45
		<hr/> 2.67

1. Lock S. Room.	1.50
Putting in Glas	2.00
	<hr/> 6.17

Pumps	8.00
	<hr/> \$ 14.17

Jan'y 1866

Mr. Brown's house

to be charged to her

A. Brown
slaves
Cris on
sent

Quartermaster General.

A. R. LAWTON,

Brown or Major McMahon, and will be held subject to his order.

Stored at 306 1/2 N. Grace St July 25th 1895-

From #112 E. Franklin St, Richmond Va

Given to J.W. & E.S. Saacs

- 1- Azalea plant ; 1- "Washington" Wall chair ; 1- Paper-Mache Table
- 1- China foot bath ; 1- 18" Tan colored satchel ;
- 2- Willow ware platters (Spode Stone china)
- 2- Mahogany chairs (repaired by Pennell)
- 1- Oil painting, "Water Melon".
- 1- Silver coffee urn ; 1- Chafin Dish

1- Daguerrotype Grandfather & Grandmother Saacs

1- " " Grandmother Dove

2- Old shuttle-cock bowls on sticks

1- Thermometer (tin) ; 1- Baking & roasting pan.

1- Meat chopper ; 1- Kitchen scales

2- Kitchen pails ; 1- Daguerrotype (William Frank?)

1- "Dr Dove" Brass dinner plate & knocker

1- Magneto - Electric battery.

1- Old 20" Tan colored satchel ; 1- Filter

2- Couped: battle flags (Cambria)

1- Brass fenders & fire irons ; 1- Hassock

1- Tin toilet set ; 1- Family Bible

1- Part case Vichy water

1- Oil portrait Grandfather Dove ; 1- Ditto Grandmother Dove

1- " " Uncle John Dove

Note! Any of the above subject to different disposition if
Mother or directs

J.W. Saacs

J.W. Saacs

Subject:

Chesapeake and Ohio Railway Co.

OFFICE OF ASSISTANT TO PRESIDENT,

DECATUR AXTELL,
Assistant to President

Richmond, Va.,

[The remainder of the page contains several paragraphs of extremely faint, illegible handwriting, likely bleed-through from the reverse side of the paper.]

The subject selected for our consideration this evening is a broad one, which might fill a volume, and can only be briefly touched upon in the short time we have for its consideration.

Gallilee-Nazareth-Capernium- the very mention of their names suggests events of the deepest interest and the greatest importance to all mankind.

Palestine is a narrow strip of land on the eastern shore of the Mediterranean, bordering on that sea, on Turkey in Asia and on Arabia.

It is a small territory; its greatest width not being over 60 miles, and its greatest length not being over 150 miles: but small as it is, some of the greatest events in the history of the world have occurred within its borders. It is divided into three sections or provinces, of which Judaea is the southern, Samaria the middle, and Gallilee the northern.

Gallilee is the smallest of the three, being about by miles.

Situated on the 33rd degree of North latitude, which is about the same latitude as that of South Carolina, middle Georgia, Alabama and Mississippi, its climate is mild and salubrious. It is interspersed with mountains, but the valleys, and the lands lying on the river Jordan, and those bordering on the inland lake called the sea of Tiberias, or the sea of Gallilee, are fertile and productive, yielding ample supplies of grain, grass and fruits: the latter growing in abundance on the mountain sides. The lake or sea mentioned is a body of water in the eastern part of the country, nearly 20 miles long and 6 or 8 miles wide, which was in the Apostles, abundantly stocked with fish, affording occupation to persons

living on the shore, and food to many of the people.

Gallilee was inhabited not only by Jews, but by people of various other nations, many of whom strictly preserved their separate nationalities, and did not amalgamate with the others. The history of all times and countries, as well as the experiences of the present day, demonstrate that when this condition of affairs exists in a country, the result is disorder, violence and crime. This case was no exception to that rule, and so the name of "Gallilean" became one of odium and reproach. The principal cities of Gallilee were Capernium, Nazareth and Tiberias. Some travelers have thought that Capernium and Tiberias were one and the same; but the better opinion seems to be that they were in different localities, both on the sea shore, and while Tiberias is still in existence as a small town, no trace is left of Capernium, in fulfilment of the Saviour's prophecy in Matthew 11 v. 23-4, "And thou Capernium, which art exalted unto heaven, shalt be brought down to hell; for if the mighty works which have been done in thee, had been done in Sodom, it would have remained unto this day. But I say unto you, that it shall be more tolerable for the land of Sodom in the day of judgment, than for thee."

Nazareth is in the southern part of Gallilee, about 60 miles north of Jerusalem, and to the readers of the new testament, it is full of associations of the deepest interest. It was the birth place and home of Mary, the Mother of Jesus. He was born in Bethlehem of Judea, yet he may be said to have been a Gallilean, inasmuch as his Mother was only temporarily there at the time of his

birth, and returned to their home in Nazareth soon thereafter. All civilised nations recognise the principle that if a child is born during the visit of his Mother to a foreign country, he is a subject or citizen of the Mother's country. In Nazareth the Saviour spent His childhood and early manhood; there He prepared Himself for the work He came to do, and from thence He went forth to begin and carry on that work. His first miracle was performed at Cana in Galilee, where at a wedding feast, He turned water into wine; and the scene of many of His other miracles was at Capernium, where He went to live permanently, after the people of Nazareth had rejected Him and attempted to take His life. He spent more than one half of the three years of His active ministry in Galilee, and after His resurrection, the message He sent by Mary Magdalene and the other Mary was, "go tell my brethren that they go into Gallilee, and there shall they see me". They accordingly went away into Gallilee, where they met Him, and received His parting instructions and commands, and where at last they witnessed His ascension into Heaven, blessing them as He departed.

Many places have been made famous by reason of their surroundings and of the events which have transpired in them. The fame of Babylon has come down to us through the ages, because of her great wealth and magnificence; of Athens, as the home of learning, and philosophy, and the cradle of the arts; of Rome, because from her gates issued the armies that conquered the world; Paris, because the forces were organized there, which led by Napoleon, overthrew kingdoms, and shattered the powers of a whole continent; Waterloo, because on her field the

4.

great conqueror was vanquished. All these are of the earth, earthy.

But Gallilee excels them all in glory, for from thence came forth Him who conquered sin and death, whose reign is everlasting, and whose kingdom is founded not on the wreck of empires, but upon the principle of love and of "peace and good will towards man."

Ballin
Meyarath
Lapernium.

Divinity of Christ.

Last Monday saw significance of name
of Jesus -

Controversy about nature -

In early ages reality of humanity
doubted. Docetists, e.g., & generally
those who held to various forms of
gnosticism, asserted that Lord
has only apparant body -

In later ages no doubt on this
point, but divinity called in
question.

How this proved?

1. Prophecy centering in Mt. But this
attests Him divine messenger -

Scarcely of itself that He divine -

2. Miracles wrought by Him - But this
shows that has divine aid, not that
self divine -

3. To both must be added express
revelation of divine nature -

Now this revelation found in three
classes of texts -

a. Divine names given.

1. By Thomas, when crucified. Jno. 20. 28.

- 18-
2. Equality with God. Phil. 2.6. See also St. Jno. 5.17.
 3. By St Paul. Rom. 9.5.
 4. By self - St. Jno. 10.28-30. See also 10.31-33.
 5. Some, in rh. called "so as God" - E.g. Rom. 1.3, 4.
See also St. Matt. 16.16.
 6. Look for glorious appearance. Tit. 2.13.
 7. See Acts. 20.28. 1 Tim. 3.16. 1 Jno. 5.20.

b. Divine Attributes ascribed -

1. Eternity - St. Jno. 1.1 - 8.58 - 17.5.
2. Creation. St. Jno. 1.1-3 - 4.10. Col. 1.16-17
3. Preservation. Heb. 1.3.
4. Omnipotence. Phil. 3.21
5. Omniscience - St. Matt. 11.27.
St. Jno. 3. 24, 25.

C. Divine worship Claimed -

1. God only to be worshipped -
St. Matt. 4.10.
2. X^l. to be worshipped. St. Jno. 5.23.
3. Apostles actually worshipped X^l.
Acts. 1.24. Acts. 7.59, 60.
4. See Phil. 2.10. For conclusion.

Bible Reading

82

Divinity
Christ

Expository Lectures on
Romans

C. J. Vaughan

**PAGE(S)
MISSING**

10.(continued)

that it first is heated. From the top of the tower, it gravitates down over the coble stones coming into contact with the hot vapors from the still, absorbing the heavier factions and allowing only the very light fractions to pass over. The feed stock finally reaches the still itself. In the still, are steam lines through which both live and exhaust steam are forced up through the oil, heating it and causing the vapors to rise up through the tower. The lighter vapors that pass through the cobble stones continue through the vapor heat exchanger and a vapor line to the water separator which is a small kettle-shaped drum with a baffle plate extending from side to side and from the top almost to the bottom. The vapors pass into the separator under the baffle and out the other side. Then through the condenser box where they are condensed and run to the receiving house. The water and oil that are condensed in the heat exchanger settle in a pipe at the bottom of the separator. The pipe runs in a U bend, down into the condenser box and up again. The water passes around the U and is drawn off at the end while the oil, being lighter than water does not pass around the bend but is drawn off just below the separator.

11. Gasoline is obtained from still gas or casing-head gas by passing the gas upwards through a large vertical cylinder called gas absorbers while seal oil or gas oil is sprayed downward. The oil dissolves a good deal of the gas. This heavy stock is then distilled in a steam still, the gas that has been absorbed being distilled over and condensed and the gas absorber oil returned to be re- charged.

12. The products resulting from steam distillation are:

(a) Naphtha Bottoms: heavy fractions not carried over by the steam which are usually given another treatment and then thrown in the refined oil distillate.

(b) Gasoline a fuel for internal combustion engines.

Problem on ReRun Distillation,
Treating, and
Steam Distillation.

Explanation to Mr.Smith the reasons
of his trouble and necessity of using
good gasoline.

Well, old man, I don't like to rub a thing in but, if you hadn't been so cheap as to try to save a few cents a gallon on your gas you wouldn't have been bothered with all this trouble.

The process of manufacturing gasoline is both complicated and expensive. After the first distillation of the crude, the naphtha is chemically treated with acid, water, and caustic soda which remove all traces of impurities and sulphur, that would tend to corrode parts of engines, and improves the odor and color.

After that it is distilled in a steam still where the heat is so low that it is possible to place your hand on the tank to which it is applied when the distillate has reached its maximum temperature. Consequently only the very lightest fractions distill over.

These processes take days to complete and the distillate is constantly watched and tested so that no gasoline is placed on the market unless it has passed all tests to prove that it is a standard product.

It is absolutely impossible for "Standard" Motor Gasoline to contain any foreign substances such as sulphur which would tend to corrosion as the caustic soda and water would eliminate it.

Of course, knowing little or nothing of that concern from which you purchased the gasoline, I would not venture to say that it is not a reli-

10.(continued)

that it first is heated. From the top of the tower, it gravitates down over the coble stones coming into contact with the hot vapors from the still, absorbing the heavier factions and allowing only the very light fractions to pass over. The feed stock finally reaches the still itself. In the still, are steam lines through which both live and exhaust steam are forced up through the oil, heating it and causing the vapors to rise up through the tower. The lighter vapors that pass through the cobble stones continue through the vapor heat exchanger and a vapor line to the water separator which is a small kettle-shaped drum with a baffle plate extending from side to side and from the top almost to the bottom. The vapors pass into the separator under the baffle and out the other side. Then through the condenser box where they are condensed and run to the receiving house. The water and oil that are condensed in the heat exchanger settle in a pipe at the bottom of the separator. The pipe runs in a U bend, down into the condenser box and up again. The water passes around the U and is drawn off at the end while the oil, being lighter than water does not pass around the bend but is drawn off just below the separator.

11. Gasoline is obtained from still gas or casing-head gas by passing the gas upwards through a large vertical cylinder called gas absorbers while seal oil or gas oil is sprayed downward. The oil dissolves a good deal of the gas. This heavy stock is then distilled in a steam still, the gas that has been absorbed being distilled over and condensed and the gas absorber oil returned to be re- charged.

12. The products resulting from steam distillation are:

(a) Naphtha Bottoms: heavy fractions not carried over by the steam which are usually given another treatment and then thrown in the refined oil distillate.

(b) Gasoline: a fuel for internal combustion engines.

Problem on ReRun Distillation,
Treating, and
Steam Distillation.

Explanation to Mr.Smith the reasons
of his trouble and necessity of using
good gasoline.

Well, old man, I don't like to rub a thing in but, if you hadn't been so cheap as to try to save a few cents a gallon on your gas you wouldn't have been bothered with all this trouble.

The process of manufacturing gasoline is both complicated and expensive. After the first distillation of the crude, the naphtha is chemically treated with acid, water, and caustic soda which remove all traces of impurities and sulphur, that would tend to corrode parts of engines, and improves the odor and color.

After that it is distilled in a steam still where the heat is so low that it is possible to place your hand on the tank to which it is applied when the distillate has reached its maximum temperature. Consequently only the very lightest fractions distill over.

These processes take days to complete and the distillate is constantly watched and tested so that no gasoline is placed on the market unless it has passed all tests to prove that it is a standard product.

It is absolutely impossible for "Standard" Motor Gasoline to contain any foreign substances such as sulphur which would tend to corrosion as the caustic soda and water would eliminate it.

Of course, knowing little or nothing of that concern from which you purchased the gasoline, I would not venture to say that it is not a reli-

able concern for it probably is. However it stands to reason that any company with a limited equipment and small financial resources could not produce a high quality gasoline except to a chosen few. When you consider the enormous outlay and cost of crude stills, chemical agitators, and steam stills and then realize that the production of just one of each of these stills would be only a few thousand gallons every few days, allowing no time for the stills to be cleaned or repaired, you understand that it is impossible for a refinery, such as you say this one is, to produce enough gasoline of good quality to satisfy more than the demand of a mere village. It requires enormous equipment and unlimited capital to produce a balanced gasoline such as "Standard" Motor Gasoline and be able to sell it at its present low cost.

Review Questions.

1. No. Crudes of different types differ widely in their chemical and physical properties as well as in the amount of each product that they yield.
2. The value of any standard or test is that the refiner can, at all times, know the quality of the product being refined, thus, he is able to always place on the market a product of the same quality and standard.
3. (a) A balanced gasoline is one that gives all around efficiency.
(b) A balanced gasoline should have the qualities of easy and quick starting, smooth running, maximum power and mileage, and a clean motor.
4. The fallacy of the gravity test as an indication of the quality of an oil can be illustrated by taking a quantity of kerosene of 40° A.P.I. and mixing with it an equal quantity of gasoline of 80° A.P.I. The resulting mixture would have a gravity of 60° A.P.I. which would be within the range of the gravity tests of gasoline now sold. However this test would not show that half of the mixture was kerosene, in other words, the gravity test indicates nothing except the relative weight of an oil as compared to an equal amount of water.
5. A quantity of gasoline, usually 100 cubic centimeters, is put into a flask. A thermometer is inserted through a cork which is, in turn, fitted into the top of the flask. The outlet tube of the flask is connected to a tube that runs in a slant down through a condenser box and empties into a graduated receiver, where the distilled gasoline is collected. Ice and water are put into the box that forms the condenser and through which the tube from the flask passes. A heat is then applied to the bottom of the flask.

5.(continued)

Vapors are gradually formed and, passing through the outlet tube of the flask, are condensed as they pass through the condenser box and drop in liquid form into the graduated receiver. When the first drop of the condensed vapors falls into the receiver, the temperature is taken and is known as the initial boiling point. At intervals, throughout the process, as the temperature rises higher and higher, the amount of heat, as well as the quantity of gasoline in the receiver, is recorded. Therefore the percentage of gasoline in the receiver at any specified temperature is determined. When the gasoline is all vaporized and when the last drop falls into the receiver, the temperature is again taken and is known as the final boiling point.

6. The reason why it is necessary for gasoline to contain fractions containing different properties can be illustrated by comparing the hydrocarbons in the gasoline to the materials used in making a macadam road. This kind of road should have a foundation of coarse stones, covered with smaller stones to fill in the larger spaces, and finally covered with fine stones or sand to make the surface smooth for riding. If there are too many coarse stones, they will protrude above the surface and make the road rough. The intermediate layer forms the predominating constituent and the sand just covers the top. So it is with gasoline, there must be the lighter fractions for starting, even in cold weather, from the spark of the engine, intermediate fractions that will ignite from the lighter and, in turn, ignite the heavier fractions which form the bulk of the energy and give it power and mileage.

The same point can be further illustrated by comparing the materials used in building a coal fire to the hydrocarbons. A certain amount of paper, wood, and coal is necessary to give a fire a good start. The coal cannot be lighted

6. (continued)

by a match alone and it is difficult to light the wood. Therefore paper is used and may be compared to the lighter fractions in gasoline. The coal will not catch direct from the paper, therefore wood is used and may be compared to the intermediate fractions. With the paper and wood to start the fire the coal may be easily ignited and continue to burn, giving off heat energy. Therefore the coal may be likened to the heavier fractions.

7. A balanced gasoline, such as "Standard" Motor Gasoline, contains hydrocarbons that vaporize in a steady, uniform, and complete way while an unbalanced gasoline contains hydrocarbons with such widely different boiling points that the vaporization is unsteady and incomplete.

When a balanced gasoline is used, the combustion is regular and good, giving the maximum power and mileage, always leaving a clean motor, while with an unbalanced gasoline the combustion is bad with a corresponding loss of power and economy.

8. When crude oil was first refined, it was the kerosene fractions that were the most in demand and for which the refiners struggled to obtain a larger quantity from the crude. The result was that some of the refiners included in their kerosene many of the lighter fractions, which caused many accidents and made it dangerous to burn kerosene lamps. This condition forced all the states to pass laws requiring certain tests for all kerosene sold. These tests are called the flash tests and the fire tests.

9. These tests do not indicate the quality of the oil at all and do not guarantee the burning qualities. However they do guarantee safety from explosions and fires when kerosene is used for ordinary household purposes.

In most states, the law requires that no kerosene can be sold that forms

9.(continued)

vapors that will "flash" (that is, ignite and completely go out) below 100°F. when a live flame is brought in contact with the surface of the oil, of that forms vapors sufficient to cause the oil to ignite and continue to burn under 150° F.

10.The flash test is accomplished by the Abel Flash Tester. A definite quantity of oil to be tested is cooled to a temperature of about 60° F. and placed in a closed cup, surrounded by an air jacket which is surrounded by water. A thermometer is placed in the oil and another in the water. A sliding arrangement in the cover of the cup provides for the opening of a small hole and the application of a flame to the vapors inside. The water is gradually heated by a small gas flame and the temperature of the oil increases slowly. At intervals, the hole in the cover of the cup is opened and the flame inserted. When vapors have formed to a sufficient density, on the top of the oil, they will be ignited by the flame and immediately consumed, thus, causing a flash. The temperature is read and is called the "flash point". This test is usually performed in a dark room so that the flash is instantly seen and the temperature recorded.

The fire test is accomplished by the Tagliabue Open Cup Fire Tester. This consists of an open cup, surrounded by an air jacket which, in turn, is surrounded by water. A thermometer is suspended above the oil, which is a definite quantity, placed in the cup. Heat is then applied to the water and and the temperature of the oil is gradually increased. After the flash point is reached, the temperature is increased until the vapors ignite and the oil continues to burn. The temperature is then recorded and is known as the fire point.

11. The color test of kerosene is accomplished by means of the Saybolt Universal Chromometer, which consists of two vertical glass tubes, one of which is clear and unmarked while the other is marked off in fractional parts of inches. At the base of the clear, unmarked tube is placed a small glass disc of standard color and a mirror is placed at the bottom so that it reflects the light up through the tubes. Then, by looking through the eyepiece at the top, the colors of the two tubes can be easily compared. Then the graduated tube is filled with oil and the colors compared. The oil may be made lighter by allowing some to run off through a drain in the bottom and when the colors are the same, a reading is made of the height of the oil in the tube.

The term "water white" is given to kerosene having a color of 21 or above.

12. The chill or cold test shows at what temperature the finely divided wax particles in the oil begin to congeal. This is accomplished by placing some oil in a glass tube, corking the tube, and putting it in ice and salt until the oil is congealed. The tube is then removed and shaken slowly. A thermometer is inserted in it and, as the temperature rises, the wax gradually disappears. The glass is kept clear by wiping it frequently with a clean towel and a point is reached when the wax seems to have entirely disappeared. At this point, the temperature remains almost stationary and is recorded. This temperature is called the chill test point of the oil.

13. By the burning test, it is possible to judge what the performance of the oil will be in the consumers' lamps. It tells the size of the flame, the condition of the chimney and the shape of the flame as well as the amount of oil consumed after twenty-four hours of burning. This

**PAGE(S)
MISSING**

be "like the apples on the dead sea shore" which are said to be "beautiful to the sight, but turn to ashes on the lips".

Our clients, the defendants in this suit, not doubting the truth and accuracy of these magnificent representations, and influenced by them, agreed to take eighty shares of the company's stock, which at twenty five dollars per share, made two thousand dollars, and not having found out that the statements were not based on facts, but to a large extent drawn from the imagination of the company's officers and agents, who were inflamed by their great zeal for the large enterprise they had launched, paid two assessments of ten per cent each, and one half of a third, amounting in all to five hundred dollars, and then their suspicions were aroused, that all was not as it should be, and as had been represented to them, and they refused to pay any more.

This suit is now brought to extort from them a balance which it is claimed they owe. For all that they have paid, and for all now demanded of them, they have received absolutely nothing, and never can or will receive one cent of value. Is it to be wondered at, that they are here, resist the unjust demand, more especially as it will be shown by convincing proofs, that this money, if extorted from them by your verdict and the judgment of the Court, will go into the pockets of the very people who made these delusive statements?

Gentlemen of the jury, they stand here on the defensive, with perfect and unshaken confidence, that twelve honest men of their County will not be made the instruments of as gross and palpable injustice as could be inflicted on a confiding people.

This game of getting something of value for nothing, is a very pleasant and profitable pastime for those who win, but the losers, ah! the losers! pay dearly for their experience: "what is fun for the boys is death to the frogs".

Let me say just here, that it is not charged by us, that the men who made and authorized these statements, did so with the wilful and deliberate intention to deceive. It may well have been, and no doubt it was, that bewildered by the magnitude of the great enterprise they had entered upon, and blinded by their great zeal for its success, they were led to believe that the statements they made and authorized were true. There is a distinction drawn between fraud in fact and constructive fraud. In the former, the intention to commit fraud

exists, and the representations are made, and the acts committed, with knowledge and premeditation, for the purpose of deceiving and misleading the victim; in the latter, the representations made may be believed by those who make them to be true, and yet, if not true, and are accepted and acted upon by the person to whom they are made, and prove to be not true, they constitute constructive fraud, or fraud in law. And it is right that this should be so, for the person who relies upon the statement, to his loss and injury, is just as much the sufferer in the one case as the other. And therefore it is not at all necessary, in finding a verdict for the defendants, that you should believe that the statements were deliberately made, with knowledge of their untruth, and with intention to deceive. Such a verdict might well be entirely consistent with the belief that they were true, on the part of those who made them, who were themselves deceived.

What you have to decide is, were the statements alleged in the pleas made—were they material as regards the matter in hand—were they such as were calculated to influence the defendants to take the stock—were the defendants induced by them to take said stock—and were they true or not.

The defendants' pleas are :

1. The general issue, which puts the plaintiff upon proof of his entire case. Under this plea, the defendants instruct us to say, that they will prove that they never signed a subscription to the stock, and never authorized any one to sign such subscription; and as a consequence, the agreement being a mere verbal one, an action cannot be maintained on it, under the statute known to all lawyers as the statute of frauds, because it was not to be performed within a year.. The contract for subscription to the stock in this case, as in all others, was made to be paid in installments of ten per cent each, and no two assessments to be made within sixty days of each other. Thus the performance of the contract on the part of the defendants, was not to be completed until eighteen months after the subscription was made.

If it be replied that the company might or could have fully performed the contract on its part within a year, which it may be claimed we would bring the case under an exception to the general rule, we reply not so, because under the statute, the stock which was the property

sold, could not be delivered until the last payment was made by the subscriber, which as has been shown was not to be made until the end of eighteen months. Thus we have a contract not to be performed on either side, within a year from the date it was made bearing in mind now, the tests to be applied to the other pleas, based upon representations made to the defendants made to the defendants, to induce them to subscribe, which are--:

- a. Were the statements alleged in the pleas made--:
- b. Were they material as regards the matter in hand--:
- c. Were they such as were calculated to influence the defendants to take the stock.
- d. Were the defendants induced by them to take the stock--:
- e. Were they true or not :

permit me now to bring the several grounds of defence, clearly and distinctly before you.

Plea No. 2, alleges that A. Moore, Jr, the authorized agent of the promoters and organizers of the company, and afterwards became its president, stated to the defendants that "F. J. Simball, then president of the Norfolk and Western Rail Road Company, a road that passes through Berryville, and other officials of said company, whose names were not mentioned, had taken stock in said Berryville Land and Improvement Company, to the amount of fifty thousand dollars".

Plea No. 3, alleges that Moore stated to the defendants "that the capital stock of said company was fixed at six hundred thousand dollars, par value, divided into twenty four thousand shares, of the par value of twenty five dollars per share".

Plea marked No., 9., alleges that part of the consideration for the subscription was the promise by the company to award them lots on the company's lands, one lot for every sixteen shares of stock, to be drawn and determined by lot, but no lots have been assigned to them, and that there never has been a drawing of lots.

Plea marked No., 12 contains the newspaper article, headed "BERRYVILLE TO BOOM".

We are instructed to say that the averments of these several pleas will be proved by abundant evidence, meeting every test, as I have laid them down, in what I have already said.

If they are proved to your satisfaction, by the weight of evidence, or if any one or more of them should be so proved, we shall, with great confidence, expect, at your hands, a verdict for the defendants.

Practical,



Sentimental

Julia Lee Moore Chamberlain