

# 1860. THE PIONEER 1860.

## CALVERT'S MUSIC PALACE

### IS THE LARGEST AND BEST STOCKED MUSIC HOUSE IN THE WEST!

ALL THE LEADING ARTISTS AND PIANISTS OF THE WORLD acknowledge that

## STEINWAY & SONS

Manufacture the Best Pianos, both as to BEAUTY and VOLUME of TONE and DURABILITY.

We are also Sole Agents for the following Celebrated Piano Manufacturers:

**STECK, BEHR BROS., MASON & HAMLIN, W. W. KIMBALL CO.,**  
**HARDMAN, VOSE & SONS, IVERS & POND, and NEW ENGLAND PIANO CO.**

**SHEET MUSIC.** A Large and Carefully Selected Stock of Sheet Music from the Best Publishing Houses to select from. Also a Large Stock of Ten-Cent Music.  
**MUSIC BOOKS.**  
**BAND AND ORCHESTRA MUSIC.**

**VIOLINS, GUITARS, MANDOLINS, BANJOS, ACCORDEONS,**

And a Large Stock of Everything else to be found in a first-class Music Store.

We have lately employed Mr. W. O. NISLEY as our Piano Tuner. He is a thorough, practical Piano Tuner and Repairer, and comes recommended by the best Piano Makers in the East.

We Sell for CASH or on Time Payments, and GUARANTEE our PRICES the LOWEST and Terms the Best.

**45 & 47 WEST, FIRST SOUTH STREET.**

**Supreme Court.**

In City of Philadelphia vs. Grace's Heirs, 3 P. St. 9, the court said: "It is an established principle of law that the intention of the donor is the controlling factor in the construction of a will. The donor's intention is to be ascertained from the language of the will, and the court is to give effect to the donor's intention, so far as it is consistent with the law. In the case at bar, the donor's intention is clearly expressed in the will, and the court is bound to give effect to it. The will is valid, and the heirs are entitled to the property bequeathed." The court further stated that the will was not subject to any challenge, and that the heirs were to take the property as bequeathed.

In the case of *City of Philadelphia vs. Grace's Heirs*, the court affirmed the decision of the lower court, holding that the will was valid and that the heirs were entitled to the property. The court emphasized that the donor's intention is the paramount consideration in such cases, and that the court must give effect to that intention, even if it results in a distribution of property that may seem unusual or unexpected.

The court also discussed the importance of the language used in the will, and noted that the donor's intention must be ascertained from the will as a whole, rather than from isolated phrases or clauses. This principle, the court stated, is essential to the proper construction of wills and the fair distribution of property according to the donor's wishes.

In another case, the court addressed the issue of the validity of a will that was allegedly executed under duress or undue influence. The court held that such a will is voidable, and that the burden of proof is on the party claiming that the will is invalid. The court stated that the evidence in this case was insufficient to establish that the will was executed under duress or undue influence, and therefore, the will was upheld.

The court also discussed the issue of the validity of a will that was allegedly executed by a person who was mentally incompetent at the time. The court held that such a will is void, and that the burden of proof is on the party claiming that the testator was incompetent. The court stated that the evidence in this case was insufficient to establish that the testator was mentally incompetent, and therefore, the will was upheld.

In a final case, the court addressed the issue of the validity of a will that was allegedly executed by a person who was not of legal age at the time. The court held that such a will is void, and that the burden of proof is on the party claiming that the testator was of legal age. The court stated that the evidence in this case was insufficient to establish that the testator was of legal age, and therefore, the will was upheld.

The court's decisions in these cases reinforce the principle that the donor's intention is the controlling factor in the construction of a will, and that the court must give effect to that intention, even if it results in a distribution of property that may seem unusual or unexpected. The court also emphasized the importance of the language used in the will, and the need for clear and unambiguous expression of the donor's wishes.

**READY REFERENCES.**

The Second Edition, Enlarged and Improved, of this most excellent work, has just been published, and is now for sale at the—

**DESERET NEWS OFFICE.**

It is Almost Indispensable to Every Home and Foreign Missionary, And is a desirable acquisition also to every student of Theology and other persons who value the means of advancing and defending Christianity and gloriously the Principles of the Gospel. The wisdom of the compiler, that the work be published without profit as to be within the reach of every person, and that it be revised and enlarged as well as the third edition, and therefore no discount except for most of postage is allowed to dealers.

The book is bound in four different styles and sent postpaid to any address at the following—

**PRICES: 45 cents, 55 cents, 65 cents, and \$1.00.**