

THE LARGEST CIRCULATION OF ANY NORTH CAROLINA DAILY.

FOR WHITE SUPREMACY

BENTILMAN'S PROPOSED NEW CONSTITUTION IN SOUTH CAROLINA.

AN EDUCATIONAL QUALIFICATION

Every Person Applying For Registration Must be Able to Read and Write Any Section of the Constitution, or Must Show That He Owes and Pays Taxes on \$300 Worth of Property-- Voters Must Also Produce a Receipt for all Taxes for the Previous Year.

COLUMBIA, S. C., Oct. 1.—The report of the suffrage committee, of which Senator Ben Tillman is chairman, was made tonight and is as follows:

Section 1. All elections by the people shall be by ballot.

Section 2. Every qualified elector shall be eligible to any office to be voted for, unless disqualified by age. But no person shall hold two offices of honor or profit at the same time, except officers in the militia and notaries public.

Section 3. Every male citizen of the United States, 21 years of age and upwards, not laboring under the disabilities named in this constitution, and possessing the qualifications required by it, shall be a legal elector.

Section 4. The qualifications for suffrage shall be as follows:

(a) Residence in the State for two years, in the county one year, in the election district in which he offers to vote four months, and the payment of a poll-tax six months before an election; provided, however, that ministers of the gospel in charge of an organized church shall be entitled to vote after six months' residence in the State, if otherwise qualified.

(b) Registration, which shall provide for the enrollment of every elector once in ten years.

(c) The person applying for registration must be able to read and write any section in this constitution or must show that he owns and pays taxes on \$300 dollars worth of property in this State; provided that at the first registration under this constitution and up to January 1, 1895, all male persons of voting age, who can read a clause in the constitution or understand and explain it when read to them by the registration officer shall be eligible to register and become electors. A separate record of every illiterate person, thus registered, sworn to by the registration officer, shall be filed, one copy with the clerk of court and one in the office of the Secretary of State, on or before January 1, 1895, and such person shall remain during his life time a qualified elector, unless convicted of some one of the disqualifying crimes enumerated in Sec 6: The certificate of the clerk of court or Secretary of State shall be sufficient evidence to establish the right of said class of citizens to registration and the franchise.

(d) Any person who shall apply for registration after January 1, 1895, if otherwise disqualified, may be registered; provided he can both read and write any section of this constitution or can show that he owns and has paid taxes during the previous year on property in this State assessed at \$300 or more.

(e) Managers of election shall require of any elector offering to vote at any election, before allowing him to vote, proof of the payment of all taxes, including poll tax, assessed against him for previous year.

(f) Registration certificates when lost shall be renewed if the applicant is qualified under the provisions of this constitution, or if he has been registered as provided in sub section "c."

Section 5.—Any person denied registration shall have the right to appeal to any and all courts of this State to determine the question under the limitation imposed in this article, and the General Assembly shall provide by law the correction of illegal or fraudulent registration and the punishment of the same.

Section 6. The following persons are disqualified from being registered or voting:

First, persons convicted of burglary, theft, arson, obtaining goods or money under false pretences, perjury, forgery, robbery, bribery, adultery, embezzlement, bigamy, or crimes against the election laws, provided that the pardon of the Governor shall remove such disqualification.

Second, persons who are idiots, insane, paupers supported at the public expense, and persons confined in any public prison.

Section 7. For the purpose of voting no person shall be deemed to have gained or lost a residence, by reason of his presence or absence, while employed in the service of the United States, nor while engaged in the navigation of the waters of this state, or of the United States, or of the high seas.

Section 8. The general assembly shall provide by law for the registration of all qualified electors and shall prescribe the manner of holding elections and of ascertaining the results of the same; provided that each of the two parties casting the highest number of votes at the preceding election shall have representation on the Board of Managers at each precinct, and on the Board of County Canvassers in each county.

Section 9. The several counties in the State shall be divided into election districts with one precinct in each of the same at which alone the voter registered for that precinct can cast his ballot; provided that a voter may be transferred from one election district to another.

Section 10. The General Assembly shall provide by law for the holding of

party primary elections and preventing fraud at the same.

Section 11. The registration books shall close at least ninety days before an election, after which transfers and registration shall be not be legal except as to persons coming of age in the interval.

Section 12. Electors in municipal elections shall possess all the qualifications herein prescribed.

Section 13. Electors shall in all cases except treason, felony, a breach of the peace, be privileged from arrest on the days of election during their attendance at the polls and going to and returning therefrom.

Section 14. No power civil or military shall at any time interfere to prevent the free exercise of the right of suffrage.

Section 15. At any special election in the incorporated cities and towns of this State, for the purpose of bonding the same or for raising revenue, all resident owners of property in said cities and towns of the assessed value of \$200, who are qualified electors under this constitution, shall alone be entitled to vote. At such election the voter shall produce a receipt for all taxes, county, State and municipal for the previous year, as evidence of his right to vote.

No Divorces in South Carolina.

COLUMBIA, S. C., Oct. 1.—South Carolina occupies the unique position among the States of the Union of being the only one which has no divorce law and has never had. The constitutional convention this morning after a hard fight, by a vote of 86 to 49, adopted a section of the constitution forbidding the granting of divorces for any cause whatever and not allowing recognition of divorces granted in other States.

TOBACCO RUINED BY FROST.

One-Third of the Crop in the Piedmont Section Destroyed.

Special to the News and Observer.

WINSTON, N. C., Oct. 1.—Last night's frost damaged, if not ruined, all tobacco in the field in the Piedmont section. It is estimated that only two thirds of the crop has been cured. The loss to farmers will be heavy, as much fine tobacco remained uncured.

Greater Damage Further West.

Special to the News and Observer.

ASHEVILLE, N. C., Oct. 1.—Reports from portions of Buncombe, Madison and other western counties are to the effect that last night's frost greatly damaged the tobacco crop. From a third to half of the crop is said to be destroyed.

Fifth of the Crop Damaged in Virginia.

DANVILLE, Va., Oct. 1.—Reports by mail and telegraph to the Daily Register from Halifax, Henry, Pittsylvania and Franklin counties in Virginia, and Caswell and Rockingham, in North Carolina, show that frost last night was general and very destructive. Vegetation is blasted and some damage to tobacco is reported. However, but little tobacco was cut, perhaps a little less than one-fifth of the crop, but what was out was ruined.

Ice and Black Frost.

LEXINGTON, Va., Oct. 1.—Last night a heavy black frost fell all through the Shenandoah Valley, from this point north to Harper's Ferry, doing great damage to the exposed vegetation. Ice is forming in many places in a thin skin. The thermometer fell from 75 to 30 degrees last night. The temperature tonight is going down, and more frost and ice is expected to night. Much of the vegetation has been cut short off with the ground.

All Vegetation Killed.

CHARLOTTEVILLE, Va., Oct. 1.—Last night frost was quite damaging to all tender vegetation in this section. Tobacco was injured in several places in the county, particularly in the low grounds.

Frost at Fredericksburg.

FREDERICKSBURG, Va., Oct. 1.—Frost fell in this section last night. The tobacco was injured in Louisiana and Caroline counties.

Growing Crops Killed.

ROANOK, Va., Oct. 1.—A severe frost fell in this section last night, killing all the growing crops not already destroyed by the drought which has prevailed for the past two months. Most of the tobacco had been cut. More frost is expected to night.

GEN. MAHONE IMPROVING.

But His Physicians Say There is no Hope for His Recovery.

WASHINGTON, D. C., Oct. 1.—Ex Senator Mahone's condition was slightly improved this morning, and during the day there has been no perceptible change. The attending physicians, however, say there is no possible hope for his recovery.

The area of the paralysis has not extended, and to some slight extent has abated. The General has recovered power over the muscles of his tongue, but is not yet able to speak. He remains conscious, and to day when his son, William Mahone, Jr., arrived, the father recognized him and extended his right hand. The left side and limbs continue completely paralyzed.

Unchanged at Midnight.

WASHINGTON, D. C., Oct. 1.—Ex Senator Mahone's condition was unchanged at midnight. He was very low and his physicians could offer no hope, although it was thought that dissolution might not occur to-night. His family were with him.

LONDON, Oct. 1.—It is predicted by an eminent authority, Giesecker, that the European sugar crop will be 1,200,000 tons short of the average.

WRECKED ON A REEF

A SPANISH WARSHIP DRIVEN ASHORE IN A HEAVY STORM.

BUT ALL THE CREW WAS SAVED

Though the Cruiser Cristobal Colon is a Total Loss—She Formed a Part of a Fleet of Spanish Ships Detailed to Watch the Coast of Cuba in Order to Prevent the Landing of Filibusters—Another Report is that the Vessel was Sunk by the Insurgents.

HAVANA, Oct. 1.—Following close upon the loss of the Spanish cruiser Baracategui, which was sunk in collision with the Spanish merchant steamer Mortera, off Mora Castle, at the entrance of this harbor, at midnight on September 18, resulting in the drowning of Admiral Delgado Parejo, Commander-in-Chief of the Spanish naval forces in Cuban waters, and sixty-six men, comes the news of the wreck and probably the total loss of the Spanish warship, Cristobal Colon, a second class cruiser of about 1200 tons displacement and 1600 horse power.

The Cristobal Colon formed a part of the fleet of Spanish warships detailed to watch the coast of Cuba in order to prevent the landing of filibustering expeditions from the United States and elsewhere. The cruiser carried four 12 centimetre Hontoria guns, two 7-centimetre guns and two rapid fire guns. Her crew is estimated to have numbered about two hundred officers and men, but the exact figures are not known here at present, as she had on board men intended for the smaller patrol vessels of the Spanish fleet, and may have detailed men ashore. The station of the Cristobal Colon was the waters about Cape Antonio, of the west extremity of the island of Cuba, her commander having particular instructions to watch the Gulf of Porrait and Guadiana, south and north of Cape Antonio. The disaster occurred off Colorado Point, in the Gulf of Guadiana, south of the town of Mantua, in the Province of Pinar Del Rio, near which territory Havana is situated.

The exact details of the disaster have not yet been made known; but, so far as can be gathered, the facts are as follows: The Cristobal Colon appears to have encountered the severe weather off Cape Antonio and to have put into the Gulf of Guadiana for shelter. There she tried to ride out of the fierce gale and heavy seas; but, was slowly driven towards Colorado Point, off which jutting there is a dangerous reef, known as the Colorado reef. When the commander of the cruiser saw that he could not make headway against the storm, he attempted to anchor according to the stories told here; but the anchors would not hold and the cruiser was driven ashore.

Another report has it that the Cristobal Colon ran on the reef at night time when her commander believed her to be far enough off shore to continue steaming against the force of the cyclone. In any case, she ran ashore last night or early this morning in a most dangerous position and with a heavy sea running. Everything possible seems to have been done to save the cruiser, but all efforts in that direction were useless and she was finally abandoned this morning, a helpless wreck, pounding herself slowly to pieces on the Colorado reef. Some of the crew swam ashore, others reached land by means of pieces of wreckage and in the boats; all the crew and officers and men were saved by some means or another.

The above are all the facts obtainable here at present, and owing to the reticence of the authorities some inaccuracies may have crept into the story. But the main facts are correct, and the wreck of this fine warship, so soon after the sinking of the Baracategui, has cast a feeling of intense gloom over the government officials here. There are none too many Spanish vessels in these waters at present, and the loss of the Cristobal Colon will be keenly felt by the government at this crisis.

Of course, the friends of the insurgents are circulating the usual sensational stories regarding this, the latest disaster to the Spanish government, claiming that the cruiser was sunk by a torpedo exploded by insurgents. In official circles, however, this report is classed as being "nothing more than an invention of the rebels."

In spite of this official assertion, there is no doubt that the government has not thought it proper to make public all the facts in the case and this may not be done until the official report of the commander of the wrecked cruiser has been received and passed upon.

A German Mail Steamship Wrecked

LONDON, Oct. 1.—A dispatch received here by Lloyds of Rio De Janeiro, Brazil, this afternoon, announces the wreck and total loss of the German mail steamship Uruguay of 1,460 tons. The Uruguay left Hamburg on August 7 for Montevideo and arrived there on September 3. She was on her homeward passage when she ran ashore off Cape Frio, not far from Rio De Janeiro, and all efforts to float her proved fruitless. Her crew and all her passengers were rescued.

Louisburg a Presidential Postoffice.

WASHINGTON, Oct. 1.—The following fourth class postoffices became presidential today, and the postmasters in each case were re-appointed: Onancock, Va., Montgomery, W. Va., Louisburg, N. C.

THE LAW MAKERS MEET

THE SPECIAL SESSION OF THE TEXAS LEGISLATURE NOW IN SESSION.

GOVERNOR CULBERSON'S MESSAGE

It is Confined Solely to the Prize-Fight Question and Reviews at Length the Situation Which has Made the Calling of the Body Together Necessary--Two Bills Already Introduced--Emergency Clause Cannot be Passed as the Legislature Now Stands.

AUSTIN, Texas, Oct. 1.—In compliance with the proclamation of Gov. Culbertson, convening the Legislature in this city on Oct. 1, to take action on the prize fighting question, which has been agitated by the proposed Corbett-Fitzsimmons bill at Dallas, October 31, a quorum of both houses responded to roll call to-day at high noon and were in working shape within thirty minutes and at 12:30 o'clock promptly received a message from Gov. Culbertson.

The Governor confined himself solely to the prize fight question, and reviewed at length the situation which has made the calling of the Legislature necessary. He said he regretted that he had to call the solons together, that this question was being wrangled over in the courts, he deemed it advisable to stop further discussion by having the Legislature enact a law that would be clear and specific on this subject, and he desires it to go into immediate effect.

His message is concluded as follows: "By proclamation, all persons have been given notice that this exhibition would not be permitted, and whatever has been done by its projectors was with full responsibility for the consequences."

"The public interests require that this exhibition especially, should be suppressed. Discouraged by Mexico and the territories, outlawed and driven from every State, it is proposed to assemble a horde of ruffians and gamblers and offer here this commanding insult to public decency. Against it, the instincts and the pride of the people revolt and your prompt and resolute action will spare them the ignominy and the shame. It will do another thing. It will recall to the great city of this State, inhabited by a manly and generous and enlightened people, the wholesome and assuring truth, now obscured by anger and misconception, for which it will hereafter thank you, that no part of its material prosperity, no part of its social and intellectual and industrial progress, no part of its splendid destiny is bound up in an endeavor to hold within its limits one of the most disgraceful orgies that ever promised to discredit and dishonor Texas."

"Impelled by a sense of duty to exert every executive power to divert this calamity, you have been called in special session and the responsibility for the consequences is now divided with you. That you will meet it as becomes the representatives of the whole people, anxious and ready to protect the fair name of the State is not doubted."

As soon as the message was read, in compliance with its command, two bills were introduced in both houses.

The respective bills in the two houses are identical. The one introduced in the Senate by Senator Lewis, of Bexar, and the one in the House by Representative Ward, of Travis, are generally conceded to be the measures of the administration. They define that prize fighting, or any pugilistic encounter, shall be deemed felony and shall be punished by imprisonment of not less than one, nor more than two years. This bill, of course, has the emergency clause. The other bill, introduced in the Senate by Senator Simpson, provides a penalty of not less than five, nor more than ten years, and further provides that anyone, who, in any manner, aids or abets a fight will be considered a participant and subject to the above named punishment. The emergency clause is also in this bill.

These bills were referred to the Judiciary committee in either house, and they were to take action thereon this afternoon. The Dallas attorneys appeared before them, however, to ask for further time, claiming that they could show that the proposed law was unconstitutional and class legislation as well as confiscatory. In compliance with their request, both committees adjourned until morning at 9 o'clock, and nothing further was done by either house in the matter.

As the matter now stands, it is a political row between the friends of Governor Culbertson and his present opponents, of which he has quite a number in the Legislature. There are ninety-four members of the House present and twenty-four Senators. In the House it is necessary to get eighty-six votes to make the law go into immediate effect and 20 votes are necessary in the Senate. In the House at the present time there are fifteen out and out men against putting the emergency clause in the bill, while there are four who are doubtful. This puts the two thirds vote out of the question in the House with the present roster. In the Senate there are three against the emergency clause and two doubtful, which places the bill in serious danger there also.

If a vote was taken now with only these present, there is little doubt that the emergency clause would be defeated. The administration forces do not propose to come to a vote on the matter, however, until more of their men arrive, and these absentees are expected by to-morrow afternoon at the latest. The Dallas people also want a

delay to gather additional forces, so everybody is pleased to delay the game at present.

To-night lobbying is being indulged in right and left and a strong effort is being made to pull the twenty-two Populists in the House over to the right side.

Corbett on His Way South.

WASHINGTON, D. C., Oct. 1.—James Corbett and party arrived in this city at 3:30 to-day, and the champion went at once to the National Park, where he and his brother Joe appeared in a game of ball. Corbett did not take any chances of being hit while at the bat. He injured one of his fingers slightly in catching a thrown ball. The party left at 10:30 over the Southern road for Atlanta, where Corbett appears in a sparring match to-morrow night. From there he goes to New Orleans, where another sparring exhibition will be given Friday night, and thence to San Antonio to go into training. Corbett said in regard to the calling of the Texas Legislature that while he believed the Governor meant to do right he was mis-informed as to the brutality of prize fighting.

THE ATLANTA EXPOSITION.

To-day the Exercises of Minnesota Day Will Occur.

ATLANTA, Ga., Sept. 1.—To-day has been without special incident at the exposition, though the crisp weather has induced a large attendance. To-morrow will be an important day. The Minnesota editors two hundred strong, will arrive. They will be welcomed on the grounds and will spend the day in sight seeing. At 3 o'clock the exercises of Minnesota day will occur in the Auditorium. At night the guests will be honored by a display of fireworks representing the storming of Wei Hai Wei. A feature of the fireworks will be a portrait in fire of Judge Wm. B. Hornblower, a guest of honor of Georgia Bar Association. Friday, the Tennessee editors will be here.

Western Roads Will Not Give Rates.

CHICAGO, Ill., Oct. 1.—For the third time in the last two months, the Western roads refused to day to make any further reductions in rates for the Atlanta Exposition than seventy-five per cent. of double locals. The only road that voted in favor of a further reduction was the Illinois Central. All the other roads declared that they were not selling any tickets to the Exposition, and to make reductions for it was but affording means for demoralizing their general business without purpose. The action of day's meeting may be taken as final in the matter.

ABDUCTED BY A PRIEST.

Pretty Maud Steidel Found by Officers in a Chicago Convent.

CHICAGO, Oct. 1.—Maud Steidel, 15 years old, whose mother lives in St. Joseph, Mo., spent last night at the Harrison Street Annex. She was arrested at a West Side convent by officers from St. Joseph last evening.

It was claimed that she was abducted from the Missouri town at the instance of a Catholic priest. Albert Klant, of 1014 Diversy street, was arrested early this morning on a charge of abduction. He is a brother-in-law of Father Dominic Wagner, whom the friends of the girl say spirited her away from St. Joseph. It is said Father Wagner persuaded the girl, who is good looking and large for her age, to leave St. Joseph and come to Chicago.

Klant went to St. Joseph and brought the girl to Chicago and placed her in a Catholic school on the west side. He said this morning that he knew nothing about her abduction and had only done what Father Wagner had asked him to do. The police have in their possession a quantity of furniture which is said to have been shipped here by Father Wagner and which seems to give an indication that he expected to set up housekeeping in Chicago.

Nothing further has been heard of Dora Kennedy who disappeared shortly after Maud Steidel was missed under similar circumstances.

The kidnapping of Miss Steidel created a furor in St. Joseph two weeks ago. Last Wednesday night a mob of friends of the girl's father gathered about the parish house and threatened to lynch the priest. He escaped by a back door, however.

Miss Steidel was taken home to-day by her uncle.

THE YOUNG MEN ARE WILLING.

Nearly 500 of Them Wish to Marry Hip Sing Lee's Daughter.

SAN JOSE, Cal., Oct. 1.—Letters and telegrams continue to pour into the telegraph and postoffice addressed to Hip Sing Lee, the mythical Chinese merchant prince in whose name an advertisement recently appeared in a San Francisco paper offering flattering inducements to any respectable white man who would marry his daughter, Moi Lee. There are at present nearly five hundred letters in the postoffice addressed to the mysterious Hip Sing Lee, all presumably in answer to the advertisement referred to.

Senator Blackburn's Daughter Weds.

WASHINGTON, D. C., Oct. 1.—Miss Lucile Blackburn, daughter of Senator Jos. Blackburn, of Kentucky, was married at noon to-day, at St. Matthews Catholic Church, to Thomas F. Lane, Chief of a division of the Register's office in the Treasury Department. The wedding party was confined to fifteen people, the Rev. Father Bart performed the ceremony. After the ceremony Mr. and Mrs. Lane left for New York whence they sail for Europe.

A STAB AT THE TRUST

JUDGE SIMONSON'S DECISION IN THE BRIGGS CIGARETTE MACHINE CASE.

GREAT REJOICING AT THE RESULT

The Injunction Asked for by the Tobacco Trust Against the Use of the Briggs Cigarette Machine as an Infringement of the Bonsack Patent is Refused, the Case Dismissed and the Cost Charged Upon the Trust--The Case Was Heard at Asheville in July. Special to the News and Observer.

WINSTON, N. C., Oct. 1.

The suit of the American Tobacco Company and the Bonsack Machine Company against W. F. Smith & Sons and other cigarette manufacturers of Winston was decided to-day by Judge Simonson, of the United States District court, before whom the case was tried at Asheville in July. In the decision filed to-day Judge Simonson dismissed the case and attached the costs, which it is estimated will be no less than \$300, against the Tobacco Trust and Bonsack Machine people.

The suit was originally brought by the American and Bonsack Companies against Brown Bros. Company, W. F. Smith and Son and Liberty Tobacco Works, of Winston, and James A. Leach, of Thomasville, and J. A. Vance, of Salem.

The Trust asked for an injunction against the four first named firms from using the Briggs Cigarette Machine, owned and manufactured by the Winston Cigarette Machine Company, of this city, and against J. A. Vance, machinist, from making them.

The trial is regarded here as the most important one of the kind that has ever come up in North Carolina and Winston people generally are rejoicing with the men who have won such a great victory. Tobaccoists are free to say that the decision is a heavy stab at the trust, and that the courts are realizing the evil they (the trust) are doing.

The testimony in the case was taken in New York, Winston, Danville and Henderson. Counsel for complainants were Dun & Page, W. W. Fuller, M. B. Phillips, of New York. For defendants: Glenn & Manly, Walsler & Burton, of Winston, Baldwin, Davidson and White, of Washington and New York.

W. C. Briggs, inventor of the Briggs' cigarette machine, over which the hard fight has been made, has invented another machine, which he says is equal if not better than his first patent.

This Decision Governs All the Cases.

Special to the News and Observer.

ASHEVILLE, N. C., Oct. 1.

Judge Simonson handed down his opinion in the case of the Bonsack Machine Company and American Tobacco Company against W. F. Smith & Co. The argument in the case was heard by him here in July. The complainants alleged that the Briggs Cigarette Machine, invented by a Winston man, is an infringement on the Bonsack machine, the exclusive right to use which belongs to the American Tobacco Company, and sought a perpetual injunction against the use of the Briggs machine.

The parties to the defence were W. F. Smith & Co., Brown Brothers Company, Winston Cigarette Machine Company, Liberty Tobacco Works and J. A. Vance, all of Winston, and J. A. Leach & Co., Thomasville. It was stipulated that the result in one case should govern all. Judge Simonson decides that the Briggs machine is not an infringement, and orders that bill to be dismissed with costs.

Cigarette War Growing Lively.

ROCHESTER, N. Y., Oct. 1.—The war between the American Tobacco Company upon one side and the National Cigarette and Tobacco Company on the other has reached Rochester, and the price of cigarettes to-day took a great drop in consequence. Cigarettes that have been selling for some years at the rate of ten for five cents to the consumer were sold in most of the leading tobacco stores to-day at twenty for five cents, and it is understood it is the same all over the State.

TWO NEW LUMBER COMPANIES.

A \$25,000 Plant Now Being Put in at Black Mountain.

Special to the News and Observer.

ASHEVILLE, N. C., Oct. 1.

The Dickson-Mason Lumber Company bought twenty-eight acres near Black Mountain, and will begin at once putting up a locust insulator pine factory, with a capacity of twelve to fifteen thousand pines per day. Next summer the company will establish a big planing mill at the same place, the total investment being fifteen to twenty thousand dollars. The company's main office is at Asheville.

The Patterson Lumber Company, of which N. B. Patterson, lately of Detroit, is head, is preparing to go into the saw-mill business at Black Mountain, and within three weeks will start the mill with a capacity of twenty thousand feet a day.

A Wife Murderer Convicted.

MOUNT VERNON, Ky., Oct. 1.—The jury, after four hours deliberation, gave Rev. W. G. Capps two years in the penitentiary for shooting his wife five times some three months ago. She had applied for divorce on account of cruel treatment.