

RHINELANDER FAILS TO CONVINCE JURY IN ANNULMENT SUIT

Verdict For Mulatto Wife Was Returned in Case Which Created National Interest.

NO DECEPTION BY THE WIFE

Jury Finds That the Wife Did Not Deceive Husband About Her Negro Blood.

White Plains, Dec. 5.—(AP)—Leonard Kip Rhineland, wealthy member of a New York family, lost his annulment suit against his mulatto wife, Alice Beatrice Jones, in a verdict returned today by the jury which had the case.

Answers favorable to Mrs. Rhineland were returned to all the questions except the first and seventh. The first, that of whether Mrs. Rhineland was of colored blood at the time of the marriage had been conceded as a fact by the defense during the trial. The jury made no answer to the seventh question: "Did the plaintiff cohabit with the defendant after he obtained full knowledge that the defendant was of colored blood?"

The jury in its answer to the other five questions found that Mrs. Rhineland did not deceive her husband either positively or negatively as to her negro blood; that she did not conceal this fact to induce the plaintiff to marry her, and that he would have married her even had he known she was of negro blood.

After he had received the jury's verdict, Justice Morschauser reserved decision.

The functions of the jury were limited to answering the seven questions propounded to it. Before the case went to the jury Justice Morschauser had indicated that his decision relative to the annulment to be based on the finding of the jury, would not be made for several days. After Justice Morschauser has made his ruling the entire case must go back to a special term of Supreme Court for final review.

Immediately after the jury's findings had been read, Isaac N. Mills, counsel for Rhineland, moved to have the verdict set aside as being contrary to the weight of evidence. And on this motion Justice Morschauser also reserved decision instructing the attorney to return a brief within a few days.

FARMERS UNION WILL SUBMIT QUESTIONNAIRE

Will Co-Operate With State Federation of Labor.—Gardner to Be Grilled.

Special to Greensboro News. Raleigh, Dec. 4.—North Carolina Farmers' union adjourning this afternoon gave the North Carolina States Rights League for Farmers a swift kick, called it a tool of the Manufacturers' association, "demanded" a government operated system of banking and credits, and authorizing co-operation of the union with the Federation of Labor in preparation of a joint questionnaire for the coming primaries.

The Daily News bureau was duly apprised weeks ago that the farmers purposed to interrogate Max Gardner, of course Mr. Gardner will not be enticed to the exclusion of everybody else; but the farmer-unionists who found out months ago that Gardner will be nominated for Governor, resolved to "demand" something about his politics. There is no hint as to the embarrassing questions which he will be asked. But the resolutions are pretty inclusive and out of the wealth of the Manufacturers' association, something surely can be found which will suit the grillers of Gardner.

Many times it has been learned since 1920 that the famous questionnaire which Cameron Morrison and Robert N. Page answered and Max Gardner did not, was a sort of accident. The federationists never meant to go so far.

In those days almost anything that Mr. Morrison did helped him, because he had a hard time getting started. Anything that Gardner did hurt, because he had everything in the beginning. It is different now. There is no apprehension among his fellows now.

Suggested For Place on Shipping Board.

Washington, Dec. 5.—(AP)—Responding to a request by President Coolidge that he present the names of a democrat and a republican for the place, Senator McNary, republican, of Oregon, today endorsed Frank L. Shull, republican, and Marshall N. Dana, democrat, as satisfactory candidates for a member of the shipping board from the northern Pacific coast.

British Steamer Sinks.

London, Dec. 5.—(AP)—The British steamer Ashton sank today after a collision with the United States shipping board steamer Federal in the Scheldt River. The Ashton went down in a few minutes with the loss of the captain, pilot and three members of the crew.

Aroostook county, Maine, raises 30,000,000 bushels of potatoes on the average yearly. It has 85,000 acres devoted to them. The average yield per acre is about 250 bushels.

Kipling Very Ill



Rudyard Kipling, famous English author, is dangerously ill with double pneumonia at his home.

STEAMERS COLLIDE

In Chesapeake Bay at Isolated Spot Near Mouth of Potomac

Baltimore, Dec. 5.—(AP)—The British steamer Mombasa and the Italian steamer Campania were in collision this morning off No Point, 45 miles down the Chesapeake Bay, advice to the maritime exchange here say. Whether either ship had been damaged had not been determined.

Diehman-Wright and Pugh Inc., Baltimore agents of the Campania, advised a tug to the vessels' assistance. Their advice, which was vague in that she had been damaged near No. 1 hold, and that she was taking some water. The Campania, bound for Baltimore from Antwerp with a cargo of potash, is a ship of 5,427 tons gross.

The Mombasa, a 7,000 ton ship, sailed from Baltimore yesterday, bound for New Orleans. Her agents, Wilbur F. Spice & Co., were without word from her to indicate that she was in need of assistance. They had radioed her captain to report.

The spot where the collision was reported to have occurred is at an isolated section just north of the mouth of the Potomac River, where the Chesapeake being broken up by several islands, blends into Tangier Sound and is 20 miles wide.

PRESIDENT REPLIES TO JOHN L. LEWIS

Prefers Not to Disclose Nature of Reply. Washington, Dec. 5.—(AP)—President Coolidge announced in a formal statement today that he had replied to the complaint of John L. Lewis regarding the bituminous wage scales, but preferred not to disclose the nature of the reply.

The statement said the President was "anxious that there shall be no possible interference with the efforts now being made by Governor Pinchot and particularly with the conference planned for next Tuesday."

Captain Orton P. Jackson Dead

Newport, R. I., Dec. 5.—(AP)—Captain Orton P. Jackson, United States navy, commanding officer of the naval training station here, and president of the court of inquiry investigating the sinking of the submarine S-51, died this morning at the Roosevelt Hospital in New York, according to word received here. He had been ill but a short time and went to New York for treatment, being troubled by high blood pressure. He is survived by his widow and son, O. P. Jackson, Jr.

University Will Have New Coach For Basketball.

Chapel Hill, Dec. 4.—The university athletic authorities will probably sign a contract for a new basketball coach sometime next week. Several men are under consideration but negotiations are being protected with a heavy veil of secrecy. What the university officials are looking for is a man who can coach several branches of athletics.

The Fetters will continue to direct athletics at the university but it appears a foregone conclusion that there will be one or perhaps two assistants for the varsity team. No one man has been picked yet, however, and all rumors to the contrary are without foundation in fact.

Situation In Syria Improved.

Washington, Dec. 5.—(AP)—The situation in Syria has so improved that the American government is considering withdrawal of the two destroyers sent to Beirut to protect American interests.

Napoleon once said, "A great soldier like me does not care a tinker's damn for the lives of a million men."

Entombed Miners Are Rescued After Bitter Battle Within Mine

Half of Them Staggered Unaided From Tunnel While Others Had to Be Carried Out. TWO KILLED IN RESCUE EFFORTS. Rescue Worker and Miner Aiding in the Rescue Work Lost Their Lives in the Mine.

Nederland, Colo., Dec. 5.—Twenty-two miners entombed in the flaming subterranean passages of the Fairview Mine near this little mining town for nearly 18 hours, emerged today from their underground tomb alive.

Half of them, big stalwart fellows, staggered almost unaided from the smoking tunnel, while others were carried out unconscious. The fight now has shifted from the tortuous fire-swept earthen chambers to a little frame house where a temporary hospital had been thrown up to receive the 22, together with ten volunteer rescue workers who collapsed from the fumes that rolled through the mine. There death came to claim two: Robert Stevenson, a miner, and Chas. Herquist, a rescue worker. Most of the others are expected to recover.

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Opinions of representatives of institutions in this section were to the effect that there are more obstacles in the way of such a suit than are at present existent in the operation of the far-flung organization of collegiate institutions.

Virginia members of the conference were whole hearted in their praise for the conference during last night's banquet, and North Carolina delegates said they had heard of no move for formation of another group of colleges other than the meeting in Richmond last year of the smaller colleges in the Old Dominion State.

F. M. SCROGGS IS DEAD AT HOME IN MORGATON

He Had Been Steward of the State Hospital There For More Than 42 Years. Morganton, Dec. 3.—The funeral of F. M. Scroggs, steward at the State hospital, who died at his home near the institution Wednesday night shortly after 9 o'clock, will be held at the First Methodist church here at 2 o'clock Friday afternoon and the body will be taken to Lenoir, his old home, for interment.

Mr. Scroggs was the first man connected with the State hospital here in an official capacity and bought the first material for the buildings and its first supplies. He was elected steward in January, 1883, a position which he held until his death, more than 42 years. Only one of the board of directors which elected him survives, R. R. Davis, of Morganton. Efficient, gentle, courteous, the soul of honor and of honesty in his public life as well as in his private affairs, Mr. Scroggs commanded the respect of all who knew him. He was loved and admired both at the hospital and by the citizenship generally of Morganton and Burke county. He was a lifelong member of the Morganton Methodist Church for more than forty years.

FORMER EMPRESS IS GRAVELY ILL AT HOME

Little Hope Entertained for Recovery of Former Empress Charlotte. Brussels, December 5.—(AP)—Former Empress Charlotte of Mexico, is gravely ill. She is reported to be sinking rapidly.

The former empress has acute bronchitis, with pulmonary congestion, her physicians announced this morning, after a consultation with King Albert. The queen has been at the bedside and the royal family has been kept informed of the patient's condition hourly. Slight hopes are entertained for her recovery.

With Our Advertisers.

The reserves of strength of the Citizens Bank and Trust Company are Resources of capital, an efficient organization and the goodwill of its depositors.

Valuable property on the national highway opposite the intersection of the Sunderland Hall road near the Flint Rock Filling Station will be sold at auction Saturday, December 12th, at 2 o'clock p. m. There will also be three other sales, including several lots near the Hartsell Mill, and four store lots and one dwelling directly opposite the mill. Fifty turkeys will be given away for Christmas giving. At J. C. Penney Co's, from 23 to 89 cents each.

The White is a superior sewing machine. Sold here by H. B. Wilkinson. The Thies-Smith Realty Co. has money to loan on Cabarrus county farms at 5 1/2 per cent. Office at 206 Commercial Building, Charlotte. Phone 3278 and 4415. See ad in this paper.

Col. Hero Made Major General. Washington, Dec. 5.—(AP)—Colonel Andrew Hero, Jr., of the coast artillery corps, has been selected chief of the corps, with the rank of major general. He succeeds Major General Frank W. Coe, who is to retire at his own request. Colonel Hero is now on duty at Fort McPherson, Ga.

The next championship meet of the Athletic Conference of American College Women is to be held at Cornell University in 1927. The national meets are held once in every three years, with sectional meets in the intervening years.

"Please"



"Help me to save my Sister."

GOLDEN RULE SUNDAY FOR NEAR EAST RELIEF DECEMBER 6th

To Be Held at Memphis From December 31st to January 3rd. Wilson, N. C., Dec. 5.—(AP)—More than 240 young Methodists from North Carolina are expected to attend the Methodist Young People's Convention at Memphis, Tenn., December 31-January 3, 1926. Rev. S. F. Love, of Wilson, and Rev. E. K. McLarty, of High Point, are chairmen respectively of the convention committees of the North Carolina and Western North Carolina conferences of the Methodist Episcopal Church, South. They report increasing interest in the forthcoming gathering which is expected to attract more than 6,000 young people.

Reports indicate that the two conferences in North Carolina will send virtually the full quota of delegates allotted, that is 100 from the North Carolina conference and 140 from the Western North Carolina conference. They will represent those in the church between the ages of 17 and 30 years. In addition a number of conference officers will be among the delegates. Free entertainment will be furnished to 35 delegates from the western and 30 from the North Carolina conference.

State and church schools which are expected to be represented at the conference include University of North Carolina, North Carolina College for Women, Duke University, Greensboro College, Carolina College, Louisburg College, Weaver College and Jefferson School.

It is understood that the young people themselves will have a prominent place on the program and will lead in discussion of topics relating to problems of young people of the present generation. The general theme of the convention will be "Today and Tomorrow With Jesus Christ."

NEW CHAPLIN BABY.

Lita Confirms Report of Expected Addition to Family. Hollywood, Dec. 5.—Long before the Spring flowers burst forth in all their beauty there will be great rejoicing in the home of Charles Spencer Chaplin.

If everything goes smoothly Charlie will be bouncing another youngster on his comic knee. And Chaplin, Jr., will be playing about the floor with another baby brother or sister.

Lita Chaplin is anxiously awaiting an increase in the population and Charlie hovers ear her night and day. Until recently Charlie was in the habit of "stepping out" with his own friends, as "dispatches" from New York revealed, but today one couldn't get Charlie away from the side of Lita.

The news was confirmed when Charles gave Lita a lawn party. Lita was asked if the report were true. She blushed. Charlie blushed. Lita murmured, "Yes" and Charlie strolled away humming.

FRENCH LAUNCH DRIVE

To Free Mount Hermon Plateau of Its Druse Bands. Paris, Dec. 5.—(AP)—A Beirut dispatch of Le Temps says that the French launched a large scale operation, designed definitely to free the Mount Hermon plateau of the Druse bands. Two French columns which effected a junction in this region Thursday advanced from the north and west.

W. Ladislav Reymont Dead. Warsaw, Poland, Dec. 5.—(AP)—W. Ladislav Stanislaw Reymont, Polish novelist and poet, and last year's winner of the Nobel prize for literature, died today after a long illness.

Both in China and Japan, handwriting still ranks as one of the fine arts.

Post Office Robbed.

Stillwater, Minn., Dec. 5.—(AP)—Burglars knocked off the dial of three vaults in the Stillwater post office early today and escaped with approximately \$20,000 in stamps and cash.

Col. Sherrill to Be Cincinnati Manager.

Washington, Dec. 4.—Col. C. O. Sherrill, former North Carolinian and Director of Public Buildings and Parks here, has accepted a position as city manager of Cincinnati, Ohio, at a salary of \$25,000 a year, it was learned here today.

Col. Sherrill, who is the son of Miles O. Sherrill, one-time State Librarian of North Carolina, must resign from army before taking the Cincinnati job, as the War Department has adopted a strict policy with regard to granting leaves of absence to Army officers taking civil employment.

Sherrill is understood to have been recommended for the post by Secretary of War Davis and other officials.

Offered Job



Lieut. Col. Clarence O. Sherrill, U. S. A., until recently military aide to President Coolidge, has been offered the post of city manager by Cincinnati, O., at a salary of \$25,000 a year. His present position pays \$6712.

AMERICANS ARE BUYING MUCH LIFE INSURANCE

A Gain Was Made of \$2,200,000,000 Over the Previous High Mark. New York, Dec. 5.—(AP)—Americans now are buying as much life insurance in seven weeks as they bought in a year a quarter century ago, Chairman William A. Law, of Philadelphia, declared in opening the annual convention of the Association of Life Insurance Presidents here today.

As an index to the condition of the country, he called attention to \$15,400,000 of new insurance paid for this year—a new record. This represents a gain of \$2,200,000,000 over the previous high mark of 1924.

"American business expansion of the past quarter century is amazing, and becomes more so as we project the picture backward to the beginning of his as yet comparatively young nation," he said. "With our modern financial, commercial and manufacturing machinery, dare we use definite figures in attempting predictions for the next quarter century."

"The most growth of our urban population accompanying our commercial expansion, the organization of business on a large scale, the urgent demand for higher and higher living standards, and the rapidity of communication, all tend to emphasize the interdependence of our population, the extent of our future problems, and the need of broad-minded co-operation in their solution."

Robert W. Huntington, of Hartford, Conn., told the members that life insurance companies this year are making a further loan of \$1,000,000,000 to American people.

"This additional loan has been used to finance homes and farms, industry, transportation and commerce and makes an investment record for life insurance companies," he said. "Never before has the net increase in life insurance investments in a single year reached \$1,000,000,000. The total invested assets of the United States life insurance companies will amount to \$11,500,000,000 by the end of the current year."

SAYS PINCHOT PLAYS TO THE GRANDSTAND

Dr. McCauley Contends Pennsylvania Governor is of Trying to Settle Strike. Charlotte, Dec. 4.—Governor Pinchot, of Pennsylvania, instead of trying to settle the coal strike, is making a grandstand play, was asserted Thursday night by Rev. E. R. McCauley, of Raleigh, preaching in a series of revival services at Holy Trinity Lutheran church. Every one who knows anything about coal and hard coal strikes and Governor Pinchot," said Dr. McCauley, "knows that he is not going to settle the strike any more than Col. Mitchell is going to make a Department of State for aviators."

"The coal strike will soon be settled, because the Interstate Commission has released the West Virginia Coal to Baltimore and Philadelphia and it is better coal and will cut into the anthracite business."

Little Child Falls in Pot of Boiling Fats.

Columbia, S. C., Dec. 4.—Ealline Boone, aged four, died at a local hospital last night from burns suffered when she fell into a pot of grease near Gaston, a few miles from here. The little girl was playing in a neighbor's yard while her parents were assisting the neighbors in killing some hogs, when she lost her balance and fell backward into the pot of boiling fats.

SAT'S BEAR SAYS:

Fair and colder tonight and Sunday. Fresh, possibly strong southwest and west winds, diminishing to west.

NAVAL COMMITTEE PREPARING REPORT FOR NEW CONGRESS

Will Suggest That Fort at Hawaii Be Made Stronger as Island Is Important Defense Point. PROTEST MADE ON NEW SENATOR. An Effort Will Be Made to Keep the Senate From Seating Gerald Payne, From South Dakota.

Washington, Dec. 5.—(AP)—Material strengthening of the Hawaiian fortifications is favored by members of the House naval committee which recently visited the island, and is expected to become a part of the committee's program for the coming session.

The proposals in their present form contemplate the addition of two 16-inch guns to the armament of the islands, improvement of the Pearl Harbor channel to facilitate the passage of battleships in and out, construction of a sea wall and viaduct facilities, and increased storage space for ammunition.

The necessary legislation is being prepared by Representative Stephens, Republican, Ohio, who has the support of Chairman Butler of the committee and Representative Britten, of Illinois, the ranking Republican member.

Protest Against Nye. Washington, Dec. 5.—(AP)—A formal protest against the seating of Gerald P. Nye, as senator from North Dakota, has been lodged with the president of the Senate by the Republican state central committee, and Harrison Garnett, Republican national committeeman from that state.

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