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THE CLEVELAND STAR, SHELBY, N. C. TUESDAY, JUNE 21, 1921.

\$2.00 A YEAR IN ADVANCE

VARNER CASE IS COMPROMISED

MRS. VARNER GETS AROUND \$20,000

Suit of Varner Against Negro McRary is Withdrawn—Mrs. Varner Leaves to Ask for Di- vorce.

SENTENTIAL CASE VARNER -- From Greensboro News:

All the sensational Varner litiga-
tions, save that concerning a di-
vorce, which grew out of the finding
of Baxter McRary, wealthy Lexing-
ton mulatto, underneath the floor of
the Varner home between 12:30 and
1 o'clock Tuesday morning, August
10, were settled to the satisfaction of
all concerned Friday afternoon when
attorneys from Lexington met with
local attorneys, agreed upon the con-
ditions of the compromise, and sign-
ed the necessary papers to make the
agreements binding. Mrs. Florence
C. Varner, wife of H. B. Varner, gets
a sum of money, said to be about \$20,-
000, the suit of H. B. Varner against
McRary for \$100,000 is withdrawn,
the suit of Fritts vs. Walser is settled,
Mrs. Varner is to go to her home in
Utah, and, it is understood, she will
enter suit for a divorce there, which
suit, it is said, will not be opposed.
The exact provisions of the settlement
of the cases are now known, the law-
yers agreeing among themselves to
keep the terms a secret.

All sides, nevertheless, seemed ab-
solutely satisfied and to feel that they
had each won a victory. Who pays
Mrs. Varner the money and how much
she gets is not known, although it is
known that she receives a considera-
ble sum, and persistent rumors have
it that the amount is around \$20,000.
It is pretty certain that McRary forks
over a handsome sum, perhaps the
same amount that Mrs. Varner gets,
although the settlement of the con-
test between Mrs. Varner and Mrs.
Varner is said to be one settlement
and that of Mr. Varner and McRary
another entirely separate and distinct.
In other words, friends of Mr. Varner
allege that no mention of the
Varner vs. McRary litigation was
made in arriving at a settlement of
the case of Varner vs. Varner. They
further claim that she has won a
victory over her husband, that he is
paying her whatever she gets.

Concerning the settlement of the
\$100,000 suit against the mulatto, it
is understood that it is withdrawn
with the understanding that the
mulatto is to pay Mr. Varner about
\$20,000. Although it is said that both
Mr. and Mrs. Varner have said they
would not receive a cent of the
negro's money, after all Mr. Varner
pays Mrs. Varner and McRary re-
pays Mr. Varner. That is the view
favorable to Mrs. Varner. The other
side as to where the money comes
from is that Mr. Varner simply al-
lows the money to pass through his
hands, Mrs. Varner getting the ne-
gro's money after all.

McRary Forks Over Sum

This gets the two big suits out of
the way—that of Mrs. Florence C.
Varner vs. H. B. Varner, in which
the plaintiff asked for \$50,000, al-
leging her husband abandoned her and
"willfully and maliciously turned her
out of doors," which was tried be-
fore Judge James E. Boyd in federal
court in February and decided in fa-
vor of the defendant, but later was
declared a mistrial, and that of H.
B. Varner vs. Baxter McRary, in
which the plaintiff asked for \$100,000
on the ground that McRary delib-
erately sought to, and succeeded in,
wrecking the domestic life of the
plaintiff by invading the Varner home
in the absence of Mr. Varner. Both
cases have been pending in federal
court.

There is no divorce action pending,
although Mr. Varner filed suit for
divorce at the same time he entered
suit against McRary. He sued in the
Superior court of Davidson, but the
case was thrown out on the ground
that a state law requires plaintiffs to
wait at least six months after the al-
leged cause for divorce takes place.
In other words, the suit was started
too soon.

One angle of approach to the com-
promise yesterday is that the cases
were settled upon the basis of Mrs.
Varner's innocence, although mem-
bers of the opposing camp allege that
such is not the case, that from none
of the steps taken by Mr. Varner does
he back down.

McRary at Least Trespassed

The nearest approach to a correct
interpretation of the reasoning back
(Continued on Page Eight)

HIGHWAY ROUTE AGREED ON AT RUTHERFORDTON

Road From South Carolina Line Will Run From Forest City Via Alex- ander.

Rutherfordton, June 17.—Leading
citizens from all parts of the county
met here yesterday afternoon in a
mass meeting to have a hearing be-
fore State Highway Commissioner
John B. McBe, of the eighth district,
in regard to which direction a high-
way from here to the South Carolina
line would run. Three directions were
proposed. One was from Forest City
to the South Carolina line via Alex-
ander, Sandy Mush, to the east of
Harris, cross Broad river at the
Island Ford bridge and meet a high-
way from Gaffney to Spartanburg, S.
C. Attorney R. S. Saves was the
spokesman for this crowd. The second
claim was for it to go by way of
Caroleen, Avondale, Cliffside and
cross Broad river at the Buck shoals
bridge. Edwards & Edwards, Hamrick
& Harris were spokesmen for this
claim. They had a large delegation
here and worked very earnestly and
heroically for their cause. The third
claim wanted it to go direct from
Spindale by way of Sulphur Springs
road, Harris and on to Chesnee, At-
torney W. C. McRorie represented
this claim. They were also well re-
presented but the commissioner and
engineer decided in favor of the first
plan.

Rural Policemen L. W. A. Thom-
son and J. L. Green, of Duncan's
Creek township, captured two large
stills near Hollis recently. Several
hundred gallons of beer were destr-
oyed at one plant. Both plants were
new. One 13 year old boy was guard-
ing one still captured. The other guard
fled.

Rutherford county will have a big
county fair October 11 to 14th, inclu-
sive, and five community fairs just
before the county fair. They are
Union Mills, Mt. Pleasant, Watkins,
Oakland, and Race Path. They will
be held October 4 to 8, respectively.
Interest in the fair work is growing
in this county. Only three commu-
nity fairs were held last fall and last
year was the first time that Rutherford
has had a county fair.

Postmaster B. F. Dalton is still
very ill here. The chances for his
recovery look very slim now. He has
not spoken in a week.

Col. Graham is very ill at his
son's home here. He took very ill at
midnight last night and does not im-
prove very fast.

There will be a county wide Masonic
picnic at Sulphur Springs, August
4. All Masons, their wives, daughters,
sons, sweethearts and immediate
friends and relatives will attend. It
will be a gala day for the Masons of
this county.

MRS. J. R. WARREN OF GASTONIA DEAD

Number of Shelby People Attend Funeral Saturday Afternoon.

Following a long period of de-
clining health, Mrs. J. R. Warren died
at 8 o'clock Friday night at her
home in Gastonia, the immediate
cause of her death being artery trouble
accompanying old age.

Mrs. Warren had been in ill health
for some time, gradually becoming
worse and worse until Friday night
when she quietly passed away. Mrs.
Warren was 73 years of age, but
had she lived until next month she
would have reached her seventy-
fourth birthday. She and her husband,
the late J. R. Warren who died some
years ago, were two of the oldest re-
sidents of Gastonia, having resided
there since the time Gastonia was a
mere village.

Surviving are one son, Mr. W. Y.
Warren, and a daughter, Mrs. B. B.
Gardner, both of Gastonia. The other
members of her family were four
sons, Messrs. Riddle, Robert C.,
Ernest and Frank Warren, all of
whom are dead.

The funeral services were conduct-
ed at the First Presbyterian church
by Rev. Dr. J. H. Henderlite at 4:30
Saturday.

Those attending the funeral from
Shelby were: Mesdames B. C. Houser,
T. J. Babington, R. L. Armour, Jno.
Shannonhouse, Mr. and Mrs. S. E.
Hoey and Messrs. O. Max Gardner, C.
R. Hoey and J. A. Anthony.

One of the oddest insurance poli-
cies on record was that of a man who
insured himself at Lloyds against the
consequences of laying violent hands
on his mother-in-law.

SOCIAL NEWS

Mrs. Turner Hostess

Mrs. Sam Turner was hostess last
Monday to two little McFarland girls
of Kings Mountain and little Miss
Wilkins of Blacksburg, who were her
visitors for a few days. Twenty-five
little girls of the town were invited
and Mrs. Turner was assisted in en-
tertaining them by Miss Flossie
Grigg. They enjoyed games, recita-
tions and contests, after which they
were served delicious cream and cake.
Automobiles carried them for an out-
ing to Cleveland Springs. Mrs. Tur-
ner, Mrs. Roger Laughridge and Mrs.
Ralph Turner chaperoned the party
and on their return the little folks
were left at their homes, all declar-
ing that they had a most delightful
outing.

Miss Mae Kendall Charming Hostess to Clubs.

Miss Mae Kendall was a most
charming hostess to the membership
of both the Ishpeming Literary and
the Cecilia Music Club at her home
on North LaFayette street last Fri-
day afternoon.

The Kendall home was artistry-
decorated in a wealth of beautiful
mid-summer blossoms and seven tables
were scattered about in the vari-
ous rooms which were thrown en-
suite, the guests finding their places
at these tables arranged for rook, by
attractive hand painted score cards.

When cards were laid aside, the
hostess graciously assisted by her
mother, Mrs. Kemp Kendall, Mrs. C.
B. Suttle of Charlotte and Miss Eliza-
beth McBrayer served an elaborate
ice course and accessories.

Those enjoying this hospitality be-
side the club members were Mes-
dames Joe Lacey of Bessemer Ala.,
Mrs. Joe Cabaniss of Hartford, Conn.
and Mrs. Ab Eskridge of LaFayette,
Ind.

Children of Confederacy.

Report to May 31st of Augustus Burton Chapter, auxiliary to Cleve- land Guards Chapter U. D. C.

The following report from the Aug-
ustus Burton chapter of Children of
the Confederacy was read at the dis-
trict meeting held at Cleveland
Springs. The report covers the work
done since Nov. 1920 or since the
State Convention held at New Bern.

The Augustus Burton Chapter is
divided into two sections—Junior and
Senior, divisions. The membership of
each is approximately the same, but
in interest and activity the Juniors
are making the best showing.

The leader holds 40 registered pa-
pers. There are 18 new applicants and
60 members beyond C of C age
whose credentials are good but whose
papers are not registered, because ap-
plicants reached their eighteenth
year before they could secure proper
signatures necessary for admittance.

Monthly meetings of the two divi-
sions have been held, and good his-
torical programs used. Several excel-
lent papers have been prepared by
members of both divisions, on histor-
ical subjects. The Junior division has
recently adopted the state historical
program prepared for children's chap-
ters.

All members of both divisions took
an active part in the 10th of May
celebration. They contributed banan-
as as their part of the dinner served
to the veterans. They also assisted in
serving the dinner, decorated the
graves of the soldiers, and sang at
the Memorial services.

The chapter treasury bore the ex-
pense of sending a box to the Vet-
erans Home at Raleigh and in this
box they sent two home-made rugs
which were made by a grand-mother
of one of the members, Mrs. Shuford
who has kindly offered to make more
rugs as rags are furnished for their
manufacture. Rugs are very much
needed at the Home. The children in
the Junior division are endeavoring
to earn a dollar each to add to the
treasury. One little member gave a
neighborhood party for this purpose,
asking the guests to bring a penny
for each birthday they had passed
—\$1.89 was thus added to our funds.
About \$9.00 have already been earned
by the Juniors. The treasury has
now over \$21.00, \$10.00 of which is
on deposit, gathering interest.

The Chapter is soon to have under
its auspices, a Lyceum course, which
offers another opportunity to earn
money. It will receive twenty per
cent of the sale of tickets.

The members of both divisions are
also planning a "shower" for the sol-
diers Home, deeming showers safe
since the Legislature has kindly roof-

ed the Home, which until recently has
been in a very leaky condition.

The Chapter was entitled, because
of its good standing, to a page at the
convention at New Bern.

ELIZABETH EBELTOFT, Leader

POPULAR SHELBY BOY MARRIED

Mr. Victor Rudasill, Supt. of Shelby Water and Light Plants Married Friday to Miss Bessie Cald- well of Bessemer

Following the announcement a few
weeks ago of their approaching mar-
riage, Mr. Victor Rudasill of this
place and Miss Bessie S. Caldwell of
Bessemer City were married last Fri-
day evening at the home of the bride's
cousin, Mrs. Maynard Washburn, Rev.
John W. Suttle performing the cere-
mony in the presence of only a few
relatives.

The bride is the daughter of Mr. and
Mrs. W. G. Caldwell of Bessemer
City and the granddaughter of Mr.
J. Y. Hord a prominent citizen of
Waco. She is a graduate nurse of the
Waynesville Hospital and for the past
year has been making her home here
with Mr. and Mrs. Washburn and is
a brilliant and attractive young lady.

The groom is one of Shelby's most
popular young men, the son of Mr.
and Mrs. E. A. Radisill of our city.
He now fills the responsible position
of superintendent of the Shelby Water
and Light Plants and has a host
of friends both in business and social
circles. He was a valiant soldier in
the world war, serving about 14
months overseas as 1st Lieutenant in
the 115th Machine Gun Battalion and
has a wonderful war record.

Sunday School Classes

Have Enjoyable Party.

Two of the intermediate classes of
the Baptist Sunday school with Misses
Selma Webb and Gaston as the ef-
ficient class teachers, enjoyed a most
delightful social evening on last Fri-
day, at the home of Miss Margaret
Love Gardner, the hours being from 8
to 11 o'clock.

The spacious lawn of the Webb
home on S. Washington street was
beautifully decorated. As the guests
arrived they were served to delicious
punch and an evening of jolly games
and progressive conversation was
greatly enjoyed.

At the conclusion of the evening's
pleasure delicious cream and cake was
served to these thirty-five young
Sunday school pupils.

EIGHTY SEVEN REGISTERED AT BOILING SPRINGS SCHOOL

The summer school for teachers at
Boiling Springs is well attended, in
fact the attendance is much larger
than was anticipated. The school op-
ened Monday and Supt. J. Y. Irvin
returned at noon to report that 87
had registered. Of this number 64 are
graduates of standard high schools
and forty of this number are not now
engaged in teaching. Therefore any
school committeemen who have not al-
ready engaged teachers for the next
session are invited to call at the Boil-
ing Springs School where the list of
teachers can be looked over and se-
lections made.

EX-SHERIFF J. A. LACKEY

OF BURKE COUNTY DEAD

Morganton, June 19.—Ex-Sheriff J.
A. Lackey, prominent citizen of the
county, died this morning at 9 o'clock
at his home near Morganton. He had
been sick for several months but until
last Thursday, when there was a
change for the worse, it was thought
that there was gradual improvement
in his condition.

Mr. Lackey was a native of Cleve-
land county but located in Burke
about 40 years ago, since then he
had taken an active part in civic,
political and religious affairs in the
county and was rated as a man of in-
fluence and power.

His second wife, three sons and five
daughters survive. Funeral and bur-
ial services will be held at Oak Hill
church tomorrow morning.

According to statistics compiled by
the federal government, fire losses in
the United States for one year have
aggregated the colossal sum of \$500,-
000,000, an average of \$10,000,000 for
every state in the Union. This is un-
precedented in the history of the world.

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ing Co. located over Shelby Bank.
Good work and prices right. Mail or-
ders filled promptly. Address Shelby
Hemstitching Co.

CORNERSTONE OF YORK'S NEW CITY HALL LAID

Building Will be a Two-Story Struc- ture, Costing \$18,666. Contains Auditorium.

York, S. C. June 17.—With an
able address by John R. Hart, town
attorney, and with impressive Ma-
sonic ceremonies presided over by
Grandmaster Samuel T. Lanham, of
Spartanburg the cornerstone of
York's new city hall was laid at 6
o'clock last evening. In addition
to Grandmaster Lanham, O. Frank
Hart of Columbia, grand secretary;
C. K. Chreitburg, of Rock Hill, se-
nior grand warden, and other offi-
cers of the grand lodge were in at-
tendance.

The building will be a two-story
brick structure, costing \$18,666. It
is advantageously located on a cor-
ner of East Liberty street next to
the C. & N. W. depot. On the first
floor will be the offices of the town
officials and on the second a large
auditorium. The building will be
48 by 90 feet in size. Julian S.
Starr of Rock Hill is the architect
and W. L. Wallace of York the con-
tractor. Construction work was be-
gun about a month ago.

LIEU. S. J. WEAVER DIES AT AGE 81 YEARS

Prominent Confederate Veteran of Sharon Community Passes Away—Buried Sunday.

Lieutenant Sylvester J. Weaver
died Saturday June 18th at his home
in the Sharon community following a
severe illness of only a few days
of dysentery. Lieut. Weaver was in
Capt. Ben Dixon's company and a
more valiant and heroic soldier never
shouldered a gun. His comrades loved
and respected him and after the
surrender, he came home to help re-
build the devastated South. Lieut.
Weaver spent most of his life in the
Sharon community where he follow-
ed farming, except ten years resi-
dence at Hull's Cross Roads in Lin-
coln county. Mr. Weaver was the
father of a fine family of children
and leader in his community. His
devoted companion died ten years ago.
He lived to the ripe old age of 81
years, 7 months and 17 days and was
buried beside his wife at Sharon
Methodist church Sunday afternoon
at 3 o'clock, the funeral being con-
ducted by Rev. J. M. Kester in the
presence of a great crowd of sorrow-
ing friends. Mr. Weaver was a mem-
ber of the Poplar Springs Baptist
church.

Mr. Weaver was a noble and useful
citizen and will be greatly missed in
his community. He is survived by four
sons, Joe P. Weaver of Kings Moun-
tain, R. W. Weaver of Sharon; John
A. Weaver of Shelby; David D. Weav-
er of South Shelby. Marion Weaver
the oldest son died during the war
and James M. Weaver, the youngest
son died two years ago.

BIRTHDAY DINNER MR. ESBLEY CABANISS

On Sunday June 19th a large
crowd of relatives and friends of Mr.
Esbley Cabaniss gathered at his home
to celebrate his 71st birthday. Mr.
Cabaniss is hale and hearty and the
burden of his years sits lightly on his
shoulders as evidenced by his agility,
and sunny disposition. Mr. Cabaniss
is one of the most substantial and
prosperous farmers of the county and
has a large connection. More than 100
relatives and friends gathered to help
him celebrate his birthday. A most
sumptuous dinner was spread and af-
ter all had eaten to their fill there
was still much in evidence. In the af-
ternoon the relatives and friends en-
gaged in singing old melodies and
talking of the times that had gone
by. Attorney Jno. P. Mull of Shelby
was present and made a short talk.
At the conclusion of the day every-
body voted that they had a most
pleasant day and all wished for Mr.
Cabaniss that he would be privileged
to enjoy many more such occasions.

COTTON CROP IN S. C.

PLACED AT 43 PER CENT

Greenville, S. C., June 16.—Without
considering weevil damage, cotton
production in South Carolina this
year should be around 750,000 bales,
or 43 per cent of last year's produc-
tion, according to the estimate of W.
W. Long, head of the extension de-
partment of Clemson college, in a
statement made here today.

Rev. W. A. Mhrray and son, spent
last Friday in Gastonia.

DECLINE SHOWN IN FOODSTUFF PRICES

NEARLY FIVE PER CENT IN MAY

Cloth Declines Since 1919 Have Been 48 Per Cent—Building Materials 41 Per Cent, Etc.

Washington, June 17.—Retail food
prices to the average family declined
4.8 per cent in May as compared with
April, while wholesale food prices
dropped 5 3-4 per cent in the same
period, according to statistics made
public today by the department of
labor. General wholesale prices, in-
cluding farm products, food, build-
ing material, metals, house furnish-
ings and miscellaneous commodities
decline approximately 2 per cent dur-
ing the month.

The decline from the peak prices
of May 1919, amounted to 33 per
cent in retail food prices and 44 1-2
per cent in general wholesale prices.
The drop in wholesale prices in-
cludes a 53 1-2 per cent decline in
manufactured food products and a
52 per cent reduction in the prices
of farm products, the statement said.

From April 15 to May 15 the retail
price of butter declined 24 per cent;
cheese 14 per cent; sugar 13 per
cent; lard 9 per cent; pork chops and
pneomargarine 5 per cent. Smaller re-
ductions were noted for many other
commodities.

Retail prices of three articles
which increased in price during the
month were: onions 44 per cent;
cabbage 10 per cent, and oranges 5
per cent.

Wholesale prices of farm products
reached from the low level in April,
the statement said, with a gain of
1 3-4 per cent.

With the exception of metal and
metal products, prices of which
have remained the same for two
months, there was a decline in all
wholesale prices, food products
leading. Wholesale prices of house
furnishings dropped nearly 4 1-2
per cent during the month; cloth and
clothing 2 2-3 per cent; fuel and light-
ing materials 2 1-3 per cent, and
chemicals and drugs 1 1-4 per cent.
Wholesale building material prices
declined about one half of one per
cent during the month.

Changes from wholesale peak
prices of May, 1919, included:

Decline in cloths and clothing
amounted to 48 per cent; building
materials 41 per cent; metals and
metal products 28 1-2 per cent;
chemicals and drugs 22 3-4 per cent;
and house furnishings 22 1-4 per
cent. Fuel and lighting materials
dropped 17 1-2 per cent during the
year.

TALKED 15 MINUTES AFTER BEING HANGED

New Orleans, June 17.—Felix Bir-
biglia, aged 19, sentenced to be hanged
for the murder of Mrs. Bertha Nea-
son, was alive 15 minutes after the
trap was sprung this afternoon. He
was heard to murmur: "God have
mercy on my soul."

When news that the execution had
apparently failed reached the crowd
outside the prison, the prison gates
were broken down and police reserves
were called upon to hold back the
throng.

As Mrs. Neason, while riding with
Birbiglia and Chas. Zalenka in an
automobile, according to their con-
fession, reached over to kiss Birbiglia,
he shot her. Birbiglia and Zalenka
are then said to have stripped diam-
ond rings worth \$6,000 from her
fingers. Mrs. Neason's body was then
thrown into the canal.

EDITORS MEET NEXT SEPTEMBER IN SHELBY

The editors of the Western North
Carolina Weekly Press Association
will hold their next semi-annual meet-
ing which takes place in September
at the Cleveland Springs Hotel. Editor
Weathers of The Star who attend-
ed the meeting Friday at Spruce
Pine extended the invitation which
was accepted. Editor Page of the
Kings Mountain Herald suggested
that the visiting editors make a vis-
it to the Kings Mountain Battle
ground and this will be one of the
many features to the visit of the edi-
tors in Shelby. The association is not
a large body but is composed of live,
progressive men and women who edit
the weekly papers of Western North
Carolina. They will spend two days
at Cleveland Springs where the ses-
sion will be held in the assembly hall.