

THE BROAD AX

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No. 25

The Jury in the United States District Court, Lexington, North Carolina, Judge James E. Boyd Presiding, After Forty-four Hours Deliberation, Found Mrs. Florence G. Varner Guilty of Sustaining Improper Relations With Col. R. Baxter McRary, the Wealthiest Colored Man in the Tar Heel State

COL. H. B. VARNER IS JUBILANT OVER THE FACT THAT HE HAS SUCCESSFULLY PROVEN TO THE WORLD THAT WHITE LADIES IN THE SOUTH WILL FREELY MAKE LOVE AND HUG AND KISS COLORED MEN.

COL. VARNER IS NOW IN A POSITION TO REFUSE TO PAY BACK THE MONEY WHICH HE HONESTLY OWES TO COL. McRARY; IN ADDITION TO THAT COL. VARNER WILL SEIZE ON TO A HUNDRED THOUSAND DOLLARS WORTH OF PROPERTY WHICH COL. McRARY OWNS IN LEXINGTON, TO SATISFY HIS HUNDRED THOUSAND DOLLAR JUDGMENT FOR ALIENATING THE AFFECTIONS OF MRS. VARNER.

Greensboro.—Finding Mrs. Florence G. Varner guilty of improper relations with Col. R. Baxter McRary, a federal court jury after 42 hours' deliberation at 10:10 o'clock last Saturday morning, returned a verdict denying her a "reasonable subsistence" from her husband, Col. H. B. Varner, prominent Lexington business man and publisher. While the jury went into the consultation room shortly before 9 o'clock indications were that it was still hopelessly deadlocked.

An hour later it sent word to Judge James E. Boyd that a verdict had been reached. Ten minutes later the jury filed into the jury box in the federal court room and told the judge they had agreed.

"What is your verdict, gentlemen?" Judge Boyd asked.

"We have found Mrs. Varner guilty of committing adultery with R. Baxter McRary," Foreman Summers declared. Whereupon Judge Boyd read the issues submitted to the jury to be affirmed and incorporated therein the decision of the jury.

Three Issues Decided.
The issues decided on by the jury were as follows:

1. Did the defendant (Varner) separate himself from the plaintiff (Mrs. Varner) and fail to provide her with the necessary subsistence according to his means and conditions in life, as alleged in the complaint?

Answer: Yes.

2. Did the plaintiff commit adultery with R. B. McRary as alleged in the answer?

Answer: Yes.

3. What shall, if any, should be allowed and paid or secured to the plaintiff for her reasonable subsistence from the estate of the defendant?

Answer: Nothing.

Mrs. Varner, who has been a patient at the Glenwood Sanitarium for several weeks, was prostrated at the news of the verdict and is seriously ill, according to attendants.

Mrs. Varner Suffers Collapse.

For several days she had been extremely nervous and when she received the verdict she collapsed.

When her attorney, O. L. Sapp, walked into the room and said: "Well, the jury has decided against you," Mrs. Varner gave way, according to sanitarium attendants.

O. L. Sapp, attorney for Mrs. Varner, who bore the brunt of the fight in her behalf, stated that he had little to say.

As to whether an appeal will be taken he does not know and will not until Mrs. Varner has sufficiently recovered to talk of the case.

F. M. Summers, Foreman of the jury, was reticent in discussing the case after the verdict was filed this morning. When questioned about the case his reply was: "I have served on many juries covering a long period of time, and have been called upon to decide many serious and important cases, but this has rivaled anything in my experience."

Juries Pray for Guidance.

Before filing from the room in which they had been confined for a greater part of the time since 4 o'clock last Thursday afternoon, the 12 men knelt and the entire jury, with bowed heads, listened to an impassioned plea by one of their number for God to look upon their work and pronounce it well done.

Members of the jury declared that no more powerful plea had ever ascended to heaven than the one sent up from the jury room on the third floor of the Federal Building.

Guthrie Makes Strong Plea.

One of the outstanding features of the trial was the plea of T. C. Guthrie, that Mrs. Varner would be returned to her husband. He made a strong plea for his

client, declaring that Mrs. Varner would have had the same privilege of vindicating herself in Lexington following August 9, 1920, as if she had entered suit against the devil, with the trial taking place in hell. Her banishment to Utah gave her, however, said Mr. Guthrie, a chance to bring her case to "this court, and have it passed upon by a fair jury."

Declaring that Mrs. Varner is one of the fairest specimens of God's handiwork, he said: "Varner tells you that on August 11, 1920, he would have given her a good character. Who is in a better position to tell you?"

He declared that the Lexington people were seeing ghosts and that the rumors against Mrs. Varner were circulated by "Bovogus."

Mr. Guthrie ridiculed the testimony of O. P. Dickerson, in which he testified that he saw McRary and Mrs. Varner exchange signals on the night of July 21, 1920, and that he watched McRary enter the Varner property that night about 10 p. m., remaining until 1 a. m. With the exception of the signals, the same thing took place of July 22 and 23. The speaker said it is hardly conceivable that people would have such boldness and temerity in public places.

Mr. Dickerson also testified that while in the alleyway in rear of the Varner home he saw McRary pass within four feet of him on the three nights in question. "This is not only improbable, but impossible," said he.

"Dickerson only four feet away," could not have remained unseen by McRary, while McRary was seen entering the rear porch of the house, 110 feet away, by Dickerson.

He denounced the telephone operator's testimony, stating that these stories were hardly probable.

He told of Mrs. Varner's good character for 19½ years. He said that if it wasn't worth something now, then what is the use of a good character and that "our womanhood is in danger."

The speaker hotly declared that Mr. Varner's pathway of revenge on McRary is over the bleeding, mangled remains of that woman (pointing to Mrs. Varner). "If he had taken," said he, "a pistol and shot her through the heart he would have done an act of mercy."

Referring to the statement of Mr. Varner that he intends to donate the money, if any, received in his suit against McRary, to charity, asked: "What charity wants money from a man who gets it through the bleeding remains of his wife?"

Mr. Guthrie concluded by pleading with the jury to acquit "this woman, for the sake of womanhood, of justice, and for the good name of North Carolina. With this charge hanging over her there isn't a six feet of ground on earth for her."

For some cause or other the Associated Press has been absolutely dead or silent on the Varner-McRary court proceedings. It may be that some one highly connected with the Associated Press has received a large bundle of cash money to smother it.

It appears that so far it has been decided by the high courts of North Carolina that Col. and Mrs. Varner at the present time cannot separate for good through the divorce route and as Col. R. B. McRary has been banished from North Carolina, forbidden to return to his home in Lexington to look after the hundred thousand dollars worth of property which he owns in his home town, which in the course of time will fall into the hands of Col. Varner to satisfy the one hundred thousand dollar judgment which will be hanging over the head of Col. McRary



HON. WARREN G. HARDING.

The new President of the United States, who believes in looking after the welfare of the people in this country before attempting to assist the people residing in the old world.

who is reputed to be the wealthiest colored man in North Carolina and state grand master of the colored Masons of that state.

Everything seems to indicate that if Col. Varner can successfully hold onto this property and not be compelled to pay Col. McRary the money which they claim that he honestly owes him at the present time, that in time Mrs. Varner will become sufficiently purified or sanctified to return to her home in Lexington and join with her husband and greatly enjoy their newly acquired wealth or blood money wrung from the coffers of Col. R. Baxter McRary.

INTER-RACIAL CO-OPERATION IS STEADILY GROWING.

Over Six Hundred Counties Are Organized to Promote Friendly Race Relations—Negroes New Medical Schools and Universities—Aid From the Press—Atlanta Makes Progress.

By Wm. Anthony Aery.

Hampton, Va.—Inter-racial co-operation is growing steadily throughout the Nation. In the South the inter-racial co-operation movement is receiving the hearty support of the church and the press, as well as the educational, business and community leaders.

The Commission on Inter-racial Co-operation is the outgrowth of a conference which was held in Atlanta early in 1919 to consider some of the grave problems of race relationships that had been brought to the surface on account of the World War. It is now going organized work in all the Southern states.

The Commission is composed of white and colored men, including Dr. E. B. Moton, Dr. John Hope, Bishop E. E. Jones, Bishop G. W. Clinton, Dr. Isaac Fisher, and Dr. John M. Gandy. The officers include John J. Eagan, Chairman; R. H. King, Director; and Will W. Alexander, Associate Director. The headquarters of the Commission are in the Candler Building, Atlanta, Ga.

The publications of the Commission include "Law and Order in Tennessee," by Edwin Mims; "An Appeal to the Christian People of the South," adopted by the recent Church Leaders' Conference at Blue Ridge, N. C.; "The Nashville Plan of Inter-Racial Work;" and "A Handbook for Inter-Racial Committees," compiled by Edwin Mims. These publications do not attempt to lay down any state or community or to generalize and dogmatize.

These publications, written in a Christian spirit, express the better opinion of the South. They report concrete achievements of Southern communities and commonwealths. Prof. Edwin Mims of Vanderbilt University is one of a number of Southern white leaders who has ably presented "the facts of religious, economic, and social progress which have been the results of co-operative effort and of real constructive statesmanship."

The Commission on Inter-racial Co-operation has wisely and quietly kept at work, organizing in some six hundred counties inter-racial committees that carry the burden of adjusting race relations before the breaking-point is reached and of helping to develop movements which will bring white and colored people into friendly relation.

"These inter-racial committees are functioning in specific matters, such as justice before the law, adequate educational facilities, justice in public conveyances, economic justice, and the handling of any acute situation which arises between the races."

Better Health and Better Education. The Inter-Racial Committee of the War Work Council of the Y. M. C. A. has just issued a study of the various agencies that are working in the field of social welfare for increased inter-racial co-operation. The study, after referring to the splendid work some of the educational foundations, expresses the hope that aid will be given for the establishment of "at least three medical and nurse-training schools for Negroes which would compare favorably with any such institution in America for whites," and for the establishment of "a series of five or six universities running from Austin, Tex., to New Orleans, Atlanta, Nashville, Richmond, with perhaps one in Arkansas, one in Missouri, and one in the Carolina."

In the social and economic field thirty-six agencies—ten predominantly white and twenty-six predominantly Negro—are working on inter-racial co-operation programs.

Twenty-three national or semi-national organizations are co-operating with Negroes of the South in the development of religious life. "Here, as in no other field, there is lack of unified statesmanship."

Chambers of commerce, civic clubs, and local city organizations have been taking a lively interest in promoting inter-racial co-operation. Publicity has already been given to work in Nashville, Memphis, Atlanta, New Orleans, Louisville, Charlotte, Fort Worth, Chicago and Cincinnati.

The need of bringing hospital facilities within the reach of the 12,000,000 American Negroes should be apparent to legislators and others who are responsible for our national health efficiency.

In Nashville, for example, "there has been a notable improvement in the handling of news relating to the Negro. The activities of the race are given more and more prominence. One of the papers carries at least two columns every Sunday morning, summarizing the various activities among colored people. The reporters and editors have been made aware of the complaints sometimes registered as to their magnifying the crimes of Negroes and their minimizing their better achievements."

The Atlanta Plan. The Y. M. C. A. study, in referring to the Atlanta Plan, says: "The general committee hold weekly meetings separately and joint meetings once a month. Any matters, requiring immediate action are handled by joint meetings of the appropriate sub-committees. By means of these committees rumors of race clashes have been investigated and quieted. A junior high school has been secured for Negro pupils. A tract of land has been bought and presented to the city, to be developed into a park for Negroes.

The chief of police is co-operating heartily in bettering conditions in certain sections. The officials of the Terminal Station are making every effort to provide more comfortable traveling facilities for Negroes. The Board of Education has materially increased the salaries of all colored teachers."

A Developing Program. The Commission has attempted to study what Negroes want; to agree on a program behind which it could rally white Christians; and to make its program effective. It has attempted to lead men and women to the light and to capitalize the interest of a growing number of thoughtful white men and women, many of whom are college trained, in securing justice for all Negroes. The Commission has recognized the fact that Negroes wish to develop along lines enjoyed by their white brothers. Its program has been a developing one.

The program of the Commission on Inter-racial Co-operation, at its present stage, includes the following items: The prevention of lynching and the denial of legal justice to the Negro; the securing of adequate educational facilities; the development of sanitary housing and living conditions; the securing of recreational facilities; the estab-

lishment of a system of public health inspection; the securing of adequate hospital facilities; the securing of adequate medical facilities; the securing of adequate dental facilities; the securing of adequate nursing facilities; the securing of adequate training facilities; the securing of adequate vocational facilities; the securing of adequate industrial facilities; the securing of adequate agricultural facilities; the securing of adequate domestic facilities; the securing of adequate social facilities; the securing of adequate religious facilities; the securing of adequate educational facilities; the securing of adequate recreational facilities; the securing of adequate housing facilities; the securing of adequate living facilities; the securing of adequate health facilities; the securing of adequate medical facilities; the securing of adequate dental facilities; the securing of adequate nursing facilities; the securing of adequate training facilities; the securing of adequate vocational facilities; 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