

TO ADJOURN TUESDAY

HOUSE AND SENATE AGREE ON A TWO WEEKS RECESS.

MONEY TO DEFEND SENATE.

Five Thousand Dollars to Be Appropriated to Represent Commonwealth in Suits Against Senator Wickham's Debt Statement.

"Millions for defense." That was the tenor of the remarks made by members of the State Senate yesterday afternoon when a bill was offered by Senator Wickham to make an appropriation for the purpose of securing additional counsel to conduct, together with the Attorney-General, the defense in the suits brought against the members of the late constitutional convention and the Governor.

True, the bill only asked for the sum of \$5,000, and there were some of the members who were opposed to going on record as dignifying the action of the assailants of the fundamental law of the State by a formal action on the part of the Senate, and there were expressions that some of the members were opposed to the chairman of the committee and signed a will- ingness to vote one hundred times that amount after reading the assaults on the members of that convention by Captain John S. Wise.

Not a member raised his voice against the bill and not a vote was recorded in opposition to it.

Another matter of great interest to the State and to the taxpayers was the statement by Senator Wickham regarding the State debt and the matter of the conversion of bonds of one class into another. The speech was one that attracted attention by reason of its clearness and strength.

The Senate agreed to the report of the Finance Committee on the question of adjournment and will take a recess of twelve days—from December 23 to January 5, 1902.

Attorney-General Willard called the Senate to order at noon. There was no prayer, and the reading of the journal was dispensed with.

Senator Wickham presented a bill appropriating the sum of \$5,000 to secure and pay assistant counsel in the suits brought against members of the constitutional convention and certain State officers.

Senator Wickham declared that he was unwilling to trust himself to attempt to give expression to his feelings. He had opposed the calling of the convention and the State debt, and he had seen the State through a change and was ready to do all in his power to uphold the action of the convention.

Senator Edwards said he had hoped that it would be the duty of the State to stand by the integrity and honor of the Old Dominion. He was not in favor of many of the provisions of the new constitution, yet the time had come when it was the duty of every loyal Virginian to stand by and support the new constitution and the State against attacks of those who would prostitute it to their own selfish and base purposes.

Senator Cogbill said that in his mind the calling of the convention was a mistake. Yet he was ready to shoulder his portion of the burden and to stand by the men who had formed the new instrument.

Senator Walker said that the suits were not an individual action, but were against the State and the people. He would not lie until the constitution had been declared invalid.

Senator McIlwaine, of Petersburg, went even further than the other speakers. He was sure that there was and could be no opposition to the measure. He could go further and vote to give \$500,000 for defense, and if further means were necessary he was willing to do his part.

In the recent suit the chief justice had asked the direct question whether the constitution had been recognized by specific legislation. That had been done. He had then taken the oath to support the new constitution, and he proposed to abide by the oath.

The bill was put on a vote, and was passed under a suspension of the rules, twenty-five members voting in favor of the measure.

None of the three Republican members were present, and no speech was made by a vote cast in opposition, and it was at once communicated to the house.

TITLES TO PROPERTY. Senator Cromwell, of Norfolk, presented a bill to require deeds to property to have appended an extract of title showing in whom title was vested.

Senator McIlwaine presented and had passed under a suspension of the rules a bill allowing the filing of pension claims up to Feb. 1, 1902, and providing for payment of same. The bill went through all the stages and received a constitutional vote.

COL. SMITH TO SUCCEED BARLEY. A communication was received from the Governor, transmitting the resignation of Judge L. C. Barley, of Alexandria, as a member of the board of visitors of the Virginia Military Institute, and the appointment of Colonel Francis L. Smith to fill the vacancy. The senate went into

executive session and confirmed the appointment.

WILL TAKE A RECESS. The house sent over a communication announcing the adoption of the report of the conference committee in relation to adjournment, fixing the holiday recess at two Tuesday next to Monday, January 5, 1902.

The expected recommendation of the minority did not appear, and the senate by a unanimous vote concurred in the report of the committee. The resolution offered yesterday by Senator Watkins directing that plans submitted by architects for repairs to the capitol be placed on exhibition in the rotunda for the information of the members.

The senate, at 1:05 P. M., adjourned for the day.

FROM THE FINANCE COMMITTEE. Senator Wickham, from the finance committee, submitted the following, which were ordered printed and recommended to the committee:

To provide for telephone service in the office of the secretary of the Commonwealth and to appropriate money for that purpose.

To amend and re-enact title 8 of the Code of Virginia in relation to salaries, mileage and other allowances.

To amend and re-enact title 12 of the Code of Virginia in relation to the public debt.

In discussing the latter bill, Senator Wickham said:

That feature of the report of the sub- joint committee on finance in respect to title 12 of the Code of Virginia in relation to the public debt which is of greatest public interest is that a fee of 50 cents, which provides for the convertibility of Riddleberger bonds into inter-convertible bonds.

This section provides that whereas the Riddleberger's mature on July 1, 1902, and the century's mature on July 1, 1901, the holders of Riddleberger's shall be allowed the privilege of exchanging their bonds for a like amount of century bonds upon the same terms and conditions as now prevailing for the transfer of century bonds except that a fee of 50 cents shall be paid to the second auditor for every new bond issued in exchange for Riddleberger's, such fee to be credited in the treasury to the credit of the sinking fund.

It is very desirable that all the securities of the State should be brought into a single class. This action impairs no contract, and ensures to the benefit as well of the bondholders as the State, as will be seen from the following statement:

Riddleberger bonds outstanding at the time of the passage of the act..... \$ 8,637,130.76

Centuries by sinking fund..... 2,357,575.69

Held by Literary Fund..... \$ 1,470,627.28

Held by Literary Fund..... 36,300.00

Held by Commissioners of Sinking Fund..... \$21,990,000 \$1,839,927.28

In the hands of general public, liable to be exchanged if permitted to do so..... \$ 4,485,626.58

Debt under "Century" Act of Feb. 20, 1892..... \$15,042,654.08

From defaulting officers and cancelled..... \$ 3,357.25

Held by Literary Fund..... 75,900.00

Held by Commissioners of Sinking Fund..... 1,667,737.28

Now in the hands of general public..... \$16,544,506.52

Riddleberger's in hands of general public..... 4,485,626.58

Total debt if reduced to one class by exchange of Century for Riddleberger bonds..... \$21,473,523.70

Whereas, at time of passage of Century Act and funded under that act, there were: Century bonds issued..... \$5,042,654.08

Riddleberger's then outstanding..... 8,637,130.76

..... \$38,729,784.54

..... \$21,473,523.70

..... \$ 5,256,291.14

The act of Feb. 20, 1892, not only recognized but ratified fully the act of Feb. 14, 1882, so far as the funding had proceeded under the same, and it sought to and did by the provisions of the sinking fund created under the century act to provide for and protect the class as much as the other, both as regards the payment of interest and final redemption. Thus we see that the total amount of the two classes of debt as of the time of the passage of the century act was \$38,729,784.54, outstanding in hands of the public now \$21,473,523.70—a virtual curtailment of \$17,256,260.84, or a sum greater by \$57,624.13, than the balance of Riddleberger debt proposed to be merged in the century debt.

"Section 19 of the century act (Acts 1921-22, p. 549) provides that in the year 1910, and annually thereafter, there shall be set aside as a sinking fund up to the year 1920, one-half of 1 per cent, upon the bonds issued under the century act as well as upon the outstanding bonds issued under the Riddleberger act, and in the year 1920, and annually thereafter, until all the bonds issued under the century act, and issued under the Riddleberger act are paid, there shall be set apart 1 per cent, upon the outstanding bonds issued under the century act, and 1 per cent, upon the outstanding bonds issued under the Riddleberger act, and for the century bonds, as above set forth, is identical, and this is true as stated both as regards the payment of interest and final redemption.

"The recodification of the laws of the State is an appropriate time to make these bonds inter-convertible rather than await the time for the maturity of the Riddleberger bonds, and the creditors are completely satisfied in allowing the State to condemn public school property for the purpose of carrying out the powers granted. This charter has been purchased by the Hampton Roads Development Company, which is authorized to condemn the property of the Hampton Normal School in order to secure the right of way through its grounds. The lobbyists are on hand to oppose the Sale Act.

The Sale bill which is in the nature of an amendment to Section 1191 of the Code is as follows:

Section 1191.—Lands of colleges, asylums, academies, and other institutions of learning, and of the State, shall be sold by public auction, and the proceeds of the sale shall be applied to the payment of interest, and in the matter of the ultimate redemption.

"This provision is recommended by the financial officers of the State government, to-wit, the treasurer, the auditor of public accounts and the second auditor. The Senate adjourned at 1:05 o'clock.

THE HOUSE. The House had a busy session yesterday, and at least one important measure was offered. That was the bill proposing an appropriation, conditionally, of \$500,000 for the proposed Jamestown exposition. This was offered by the delegates representing the counties most active in the exposition movement, but it was stated that the motion was never taken, and the bill went over to the recess.

Further, that the committee on the concurrence of the House and Senate on the report of the Conference Committee as to adjournment settled that question. The House also promptly acted on the bill for the reorganization of the school district of Fairfax county to sell certain school property was reported from the committee and placed on the calendar.

Mr. Jennings, of Lynchburg, offered the following resolution, which he explained, he presented more in sorrow than in anger:

Whereas, the members of the general assembly of Virginia have voluntarily entered into a compact with this Commonwealth to give faithful attention to the duties devolving upon them, for which service they are promptly paid by the State; and whereas, from the attendance upon the sessions of the house and upon committees, as shown by the records, it seems many of the members think they are entitled to their compensation to the calls of pleasure or to their private affairs; and whereas, it is charitable to suppose that such members have a perverted view of their duty to the State and to their constituents; therefore, that the gentlemen may be duly enlightened, be it

Resolved, That on and after the reassembling of the house of delegates after the Christmas, that the clerk of the house do cause a small attendance to be present at each session of the house, and to note upon the journal the names of all absentees, noting in each case whether they were absent by leave or without.

Further, that the committee on rules of this house be directed to consider the expediency of enforcing some penalty against such members who may absent themselves without leave from the sessions of the house or from committees.

The resolution was referred to the committee on rules.

Mr. Hunley, of Matthews, chairman of the conference committee in the matter of the recess, made the report of the conference in favor of adjournment on Dec. 23, until Jan. 5. Mr. Hunley, in advocating the report, defended the house against any intimation that the members are induced by the matter of procedure. He explained the mutual concessions made by the conferees to the wishes of the two houses.

URGED TO SHORTER RECESS. Mr. Bland, of Portsmouth, advised leave to offer an amendment to the conference report, but, being informed that amendment was not in order and that a minority report could not be offered, spoke earnestly in advocacy of a shorter recess and against the majority report. He defended those who favor a short recess against the intimation that they were influenced by the salary consideration. On the other hand, he reviewed the record of the house in the matter of the conference committee report, and a reason for the rejection of the conferees' report that the two houses could get back to their work and push it to earlier completion.

Mr. Newhouse, of Cape Charles, advocated the conference committee report, and Mr. Catton stood by the original position of the house.

Mr. Lee, of Fairfax, favored making the recess terminate on the third.

Mr. Saffell, of Rappahannock, advocated the committee's recommendation.

Mr. West terminated the discussion by moving the pending question, which was ordered.

Therefore the report of the conference committee, fixing Dec. 23 and Jan. 5, as the dates of adjournment and re-convening, was adopted, 61 to 7.

Mr. Wickham communicated a message from the senate informing the house of the action in passing the bill appropriating \$5,000 with which to defend the State and its officers in the matter of certain suits in the matter of the late constitutional convention. The bill was passed.

Mr. Walker communicated a message from the senate announcing the adoption of a joint resolution inviting the architects who submitted plans for the improvement of the capitol to exhibit them in the rotunda. The House concurred in the resolution.

INTRODUCED AND REFERRED. These bills were introduced and referred:

By Messrs. Cumming, Cabell, Charles T. Bland, Lawson, Walter R. Jordan, Manich, Whitehead, Sebrell, Woodward, Ware, Nottingham and Toney: To appropriate \$200,000 for the Jamestown exposition, when \$1,000,000 shall have been subscribed to the capital stock.

By Mr. Davis: To provide for defending the State and its officers against officers of the State and members of the recent constitutional convention, involving the validity of the new constitution.

By Mr. Sebrell: To prevent the spread of contagious and hereditary diseases.

By Mr. Catton: To provide for the establishment of game preserves in Virginia.

By Mr. Stearnes: To authorize the city of Newport News to use certain moneys for the establishment of a library.

By the same: To provide for the issuance of bonds for paying purposes in Newport News.

LEGISLATIVE NOTES. Among the visitors in attendance on the session of the house yesterday were: Hon. Charles T. Bland, of Portsmouth, in opposing the long recess predicted that the two houses would be without a quorum for the long recess. He predicted that if sessions were held they would be merely formal and would really accomplish nothing, though costing the State as much as busy days. He urged the House to take a short bona fide recess from the 23d to the 5th, and then return here ready to get down to hard work. The report of the conference was adopted, however.

The fate of the Jennings resolution is a matter of conjecture. If it is reported from the committee it will provoke some discussion in the House.

DEFINING A LAWFUL FENCE. All Counties Interested in the General Law Pending Thereon. One of the hottest fights to be made in the General Assembly is that providing and defining a lawful fence. The law, as proposed, is general in its application, and it is the duty of every citizen to know the law. The bill has never been printed in full, and is produced below in response to many inquiries. The bill follows:

1. That the boundary line of each and every lot or tract of land in the State of Virginia, and the line of each and every lot or tract of land to be a lawful fence as to any and all of the animals mentioned in section twenty hundred and forty-two of the Code of Virginia of eighteen hundred and eighty-seven.

2. That the Board of Supervisors of any county, after posting a notice of the time and place of meeting for thirty days at the front door of the court-house, and at each voting place in the county, and by publishing the same once a week for four successive weeks in some newspaper published in such county, if any such bill be printed therein, all said board being present and concurring, may order an election to be held in such county, or any part thereof, for the purpose of electing such county, to be participated in by the qualified free-hold voters of such districts or county, and upon a majority vote of such free-hold voters in any majority district, shall declare, as to such district, the boundary line of each and every lot or tract of land to be a lawful fence as to the animals included in section twenty hundred and forty-two of the Code of eighteen hundred and eighty-seven.

3. That the Board of Supervisors of any county, after posting a notice of the time and place of meeting for thirty days at the front door of the court-house, and at each voting place in the county, and by publishing the same once a week for four successive weeks in some newspaper published in such county, if any such bill be printed therein, all said board being present and concurring, may order an election to be held in such county, or any part thereof, for the purpose of electing such county, to be participated in by the qualified free-hold voters of such districts or county, and upon a majority vote of such free-hold voters in any majority district, shall declare, as to such district, the boundary line of each and every lot or tract of land to be a lawful fence as to the animals included in section twenty hundred and forty-two of the Code of eighteen hundred and eighty-seven.

4. All acts or parts of acts inconsistent with this act are hereby repealed.

FULTON BILL POSTPONED. Prospective Repeal of the Prohibition Law in Dickenson Passed By. The expected fight over the Fulton bill on Mr. Hunley's motion to pass by the motion to reconsider did not come up in the House yesterday. The House voted to postpone the bill until after the adjournment. Mr. Hunley explained that he thought the purpose and provisions of the bill were misunderstood. He proposed to amend the bill, but was informed by Speaker Ryan that amendment was not in order. The bill was agreed to pass the further consideration of the bill by until after the recess, when there would be a larger attendance.

This is the bill designed to repeal the prohibition law now operative in Dickenson County, and which the House on Wednesday refused to order to its consideration. The bill will probably pass unless there are protests against its passage by a large majority of the county. Just what amendment Mr. Fulton proposes to make did not develop yesterday.

BANKERS OPPOSE THE BILL. The Shackelford Banking Commission Bill Will Be Fought By Them. About forty representatives of State banks and deposit companies in Virginia met yesterday afternoon at the Chamber of Commerce to consider the bill of Senator Shackelford, recently introduced in the Legislature providing for the appointment of a banking commissioner and the establishment of a State department of banking. While the features of the bill were not thoroughly discussed, it is understood that the State banks are opposed to the measure in its entirety.

A committee of ten representative bankers was appointed to appear before the Senate Committee on Finance and Banking to argue against a favorable consideration of the bill. The members of the committee are: Messrs. H. H. Hughes, Norfolk banks, Norfolk; W. B. Baldwin, Norfolk building and loan associations, Norfolk; W. A. Vett, Newport News banks, Newport News; Henry S. Hutizer, R. P. B. L. & I. Co., Richmond; R. T. Hill Savings Bank, Richmond; H. N. Phillips, Peninsula banks, Williamsburg; William G. Venable, Planters' Bank of

Richmond, Va., November 1, 1902. I have this day transferred the Insurance Business heretofore conducted by me, at 1200 East Main Street, to Davenport & Co., General Agents of the Liverpool and London and Globe Insurance Company, at 1113 East Main Street. I shall be henceforth associated with them, at the last named address, where I shall be prepared, better than ever before, to serve, advantageously, the interests of all who have entrusted their business in this line to me for attention. I beg to own my appreciation of the patronage with which I have been favored, and to solicit further orders. ROBERT LEE TRAYLOR.

This Office is materially strengthened by the addition to it of Mr. Traylor's services and business. His patrons and our own may feel assured of a continuance of the punctual and faithful attention which has heretofore been given to their interests. DAVENPORT & CO., GENERAL AGENTS, LIVERPOOL AND LONDON AND GLOBE INSURANCE COMPANY, TELEPHONES 51 AND 1724. 1113 EAST MAIN STREET.

MAN BEHIND THE GUN. SECRETARY MOODY PLANNING MOVEMENT IN HIS BEHALF. A BETTER CHANCE FOR HIM. Greater Possibility of Promotion To the Ranks of Commissioned Officers, Provided the Necessary Examinations Are Passed—Large Opportunity for Study.

WASHINGTON, D. C., December 24.—(Special.)—The Secretary of the Navy, William H. Moody, is determined that the man behind the gun shall have a chance to go higher than the rank of lieutenant. He has decided to discontinue the meetings for the present—the next to be held Jan. 5, 1903.

Miss Norma Ware, who has been quite ill at her home, on North avenue, is able to be out.

Brookland Park. Mrs. G. L. Smithers, of Richmond, is visiting her sister, Mrs. Smithers, of Brookland Park.

Mr. Garland, who has been visiting relatives on Marion Hill, has returned home.

Mr. Parrish and family, of Brook road, have moved to Richmond.

Miss Mary Estes, who has been the guest of Mrs. L. F. Jones, will leave Saturday to spend the holidays in Louisa.

Professor Inst. of Richmond Smith College, has moved his family from Richmond, and will occupy house No. 6 Luckie avenue.

Mr. Warner Croxton, of Washington, will spend the holidays with his mother, Mrs. N. B. Croxton.

Mrs. Bailey, who has been ill at her residence, on North avenue, is improving.

Miss Carlton's cotillon will be held tonight at Northside Hall. Admission by card only.

Miss Harris Bowles is expected home from Charlottesville to-day to spend the holidays with her parents, Mr. and Mrs. J. R. Bowles.

Mrs. Daniel Kellogg, who has been ill for several weeks at her home near the seminary, is convalescing.

CORNELIUS VANDERBILT PROBABLY IN EXTREMIS. His Physicians Say General Peritonitis Has Set in and Rumor Has It That He Is Dying. NEW YORK, December 18.—(Special.)—The following bulletin was issued by Dr. Flint, at 12:30 o'clock this afternoon: "Since the issue of the last bulletin, Mr. Vanderbilt's condition has remained practically the same, with a tendency toward decline in temperature until thirty-six hours ago, when he developed a small area of inflammation of the spleen. This subsided and showed no tendency to spread until to-day, when he developed generalized peritonitis. "His condition is, of course, very grave."

That Cornelius Vanderbilt was dying was the report which gained credence this afternoon, following the hurried consultation of four physicians at the Vanderbilt residence.

The bulletin issued by Dr. Flint, stating Mr. Vanderbilt had developed peritonitis, led his friends to fear that death was a matter of hours only.

Shortly after the alarming bulletin was issued, W. K. Vanderbilt called, and remained a few moments. His face was very grave as he left the house.

"In typhoid fever ulcers are formed on the lining of the intestines. In extreme cases the ulcers are so deep as to eat through the wall of the intestines and the pus is emptied into the peritoneal cavity. "When this occurs general peritonitis develops. In such cases the doctors, if present, operate as soon as the symptoms of peritonitis are developed fully. The abdominal cavity is opened, the pus washed out, and the ulceration is treated antiseptically. The chances of recovery are extremely slight."

Black Red Men. NORFOLK, VA., Dec. 18.—(Special.)—The Independent Order of Red Men and Daughters of Pochontas, the first organization of colored Red Men in the United States, was incorporated here to-day, with R. M. Sears, great-grandfather

to 4 in favor of the plaintiff.

Failed to Find Verdict in Suit Against Insurance Company. ROANOKE, VA., Dec. 18.—(Special.)—The jury in the case of Mrs. S. E. Jones, widow of the late Mayor S. E. Jones, against an insurance company, to-day failed to agree. It seems that the body of Mr. Jones was found about a year ago in the Ohio River at Huntington, W. Va. The plaintiff, who is the beneficiary of an accident policy, set up the plea of accidental drowning, while the insurance company depends upon the fact that the body was found in the Ohio River. The jury stood 4 to 4 in favor of the plaintiff.

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