

Standard Oil Drops One to Concord

With the price of Standard oil going up these days it was a pleasure and to some a sense of satisfaction to see the Polarine, Queen City Five, or Standard Oil club go down to defeat before the local Y Thursday night at the Y gym.

The game was rather one-sided as the 37-13 indicates. It was not without its interesting phases however as the visitors had been coached to stay by till the whistle blew and fight they did. That they were a scrappy bunch goes without saying and they sure lived up to expectation. However, they were slow in getting rid of the ball, practically everyone on the Concord players getting on to the ball or knocking it before they had a chance to shoot. When they did get through it was only too often that they missed a shot and chance for goal.

The locals had a time in getting started as neither team made a score for about the first four or five minutes of play. Then the battle started and soon the score stood about 10-1. The first half ended 21-4 in Concord's favor. In the finals the visitors scored 9 points while the locals were content with 16. The passing of Dick and Wife and the guarding of McCaskill featured the work for the locals, while Best of Charlotte was easily the best for the Polarines. A fair sized crowd was on hand for the game and Hill refereed a good game as arbiter.

Schools For Farmers and Farm Women

The following is the program for one-day schools to be held in Cabarrus County farmers and farm women: Bethel school, February 27: Farm—Messrs. Elias, R. D. Goodman, Home, Messes Creighton and Wilson. Gilwood school, February 28—Farm, Messes Yeager and Goodman, Home, Messes Creighton and Wilson. Phoenix school, March 1—Farm, Messes Phillips and Goodman, Home, Messes Creighton and Wilson. Idner, March 2—Farm, Messes Yeager and Goodman, Home, Messes Creighton and Wilson.

Cold Water Lodge Odd Fellows Entertain Kannapolis Degree Team

At the meeting of Cold Water Lodge, No. 62 I. O. O. F. Thursday night, the degree team of the Kannapolis lodge were present and exemplified the third degree, to the delight of a number of members of the order. After the work the members of the Kannapolis lodge were guests of the Concord lodge at a reception, at which refreshments were served. A number of visitors from the Kannapolis lodge were also present at the meeting.

With Our Advertisers

Fisher's knows just what should be worn this Spring. You will find the latest creations in the latest styles at this store. New ad. today will interest you. Taking care of customers is one of the many features of The Citizens Bank and Trust Company. This has been and will continue to be the policy of this strong institution. See new ad. today.

ADMINISTRATOR'S NOTICE

Having qualified as the Administrator of the estate of Charles Wade, deceased, all persons owing said estate are hereby notified that they must make prompt payment or suit will be brought. And all persons having claims against said estate must present them to the undersigned, duly authenticated, on or before the 22nd day of January, 1924, or this notice will be pleaded in bar of their recovery. M. M. LINKER, Administrator.

ADMINISTRATRIX'S NOTICE

Having qualified as the Administratrix of John W. Beaver, deceased, all persons owing said estate are hereby notified that they must make prompt payment or suit will be brought. And all persons having claims against said estate, must present them to the undersigned, duly authenticated, on or before the 24th day of January, 1924, or this notice will be pleaded in bar of their recovery. NELLIE BEAVER, Administratrix. Palmer & Blackwelder, Attorneys, 29-p.

ADMINISTRATOR'S NOTICE

Having qualified as the Administrator of Miss Catherine M. Sossamon, deceased, all persons owing said estate are hereby notified that they must make prompt payment or suit will be brought. And all persons having claims against said estate, must present them to the undersigned, duly authenticated, on or before the 24th day of January, 1924, or this notice will be pleaded in bar of their recovery. JOHN C. SOSSAMON, JR., Administrator. By L. T. Hartsell, Attorney.

ADMINISTRATOR'S NOTICE

Having qualified as the Administratrix of John C. Sossamon, deceased, all persons owing said estate are hereby notified that they must make prompt payment or suit will be brought. And all persons having claims against said estate must present them to the undersigned, duly authenticated, on or before the 24th day of January, 1924, or this notice will be pleaded in bar of their recovery. JOHN C. SOSSAMON, JR., Administratrix. By L. T. Hartsell, Attorney.

EXECUTRIX'S NOTICE

Having qualified as the Executrix of the estate of R. W. Fleming, deceased, all persons owing said estate are hereby notified that they must present them to the undersigned, duly authenticated, on or before the 20th day of February, 1924, or this notice will be pleaded in bar of their recovery. LAURA MAY FLEMING, Executrix. By J. Lee Crowell, Attorney. This February 19th, 1923.

LOCAL AND OTHERWISE

Marriage license has been issued to Walter A. Whitley and Miss Eva Hartsell, both of this county. Mr. R. A. Brower is able to be out again after being confined to his home on Marsh street for several days on account of illness. The condition of Mr. Columbus H. Morrison, of Spencer, a former Cabarrus citizen, who has been quite ill for some days, is reported today as improving nicely.

Mrs. J. Lindsay Ross has rented the house on North Fifth street adjoining Messrs. W. K. Sloop and R. L. Dick, and will occupy it with her family the first of March.

Mr. Nevin Sappenfield, of this city, freshman at Davidson College, has been initiated into the Bachelor's Club, one of the most popular social organizations at the Presbyterian institution.

Only one case of whooping cough was reported to the office of the county health department Thursday. This is a new record for the year, and indicates that the whooping cough epidemic is greatly improved.

Lois C. Genthon-old daughter of Mr. and Mrs. C. A. Honeycutt, died Friday at their home on West Corbin street. Funeral services were held Saturday at 2 o'clock p. m. and interment was made in Union cemetery.

Messrs. Will Fisher, Julius Fisher and Dave Fowlkes have returned from a hunting trip to Randolph County. Hunting was fine, they report, more than 70 birds having been bagged during the two days they were hunting.

Mr. H. S. Williams, one of the State's attorneys in the Thomas case, returned to Salisbury Friday after spending Thursday here. Mr. Williams made the opening speech for the State Wednesday afternoon and spent Thursday here attending to other matters.

Prohibition Agent Widenhouse and Deputy Sheriff Vic Caldwell made a liquor raid in No. 5 township Friday afternoon, according to reports from the Sheriff's office. They seized two barrels of beer, a still and captured two men. The names of the men were not made public.

Mr. and Mrs. I. J. Ferris and little son left Sunday for Los Angeles, California, where they will visit Mrs. Ferris' parents. While en route they will stop off at the Grand Canyon National Park of Arizona, and among other places of interest, San Francisco and the Yosemite Valley will be visited.

John Willett, popular young man of Kannapolis, died there Thursday at 11 a. m., after a lingering illness. He was about 30 years of age, and was the son of Mr. and Mrs. J. W. Willett. Funeral services were held at the home on Friday at two o'clock, and interment was made in Greenlawn cemetery.

Miss May Stockton and her mother, Mrs. Martha Stockton, left Saturday for their new home in Asheville. On March first Miss Stockton will begin her new duties as public nurse for Buncombe county. During their residence in Concord they have made many friends, who will regret to see them leave Concord.

W. L. Robbins, county road superintendent, and Henry McClure, county jailer, spent last Friday in Newton, where they went to get five prisoners to be worked on the chain gang of this county. The prisoners were arrested last week in Catawba Superior Court, and have been hired out to this county as Catawba County has no chain gang at the present.

Blythe Bros., contractors doing the paving work in this city, now have a large force of hands at work on Beech street, which extends from Franklin avenue to Cedar street. This street will be one of the connecting links in the system of paved streets to be built to the new High School building, which will be built near the intersection of Beech and Cedar streets.

According to an announcement by John B. McAllister, clerk of Cabarrus Superior Court, there will be no session of court here this week. A one week's session was scheduled, but as several lawyers have been in Salisbury for the past ten days on the Thomas trial and no calendar has been made out, it has been decided not to hold the session scheduled to start today.

Six white men and one colored man were added to the personnel of the Cabarrus County chain gang last Friday. They were secured from Catawba county, and have sentences ranging from a few months to two years. Six of the men were found guilty of dealing in liquor, and the other was sent up for abandonment. It was stated by court attendants in Newton, where the men were tried.

Baseball fans here have shown much interest in the announcement that "Red" Johnston, star on the football and baseball teams at the University of North Carolina, would try out with the Atlanta team of the Southern League this year. Johnston has completed his collegiate athletic career, and all persons who have kept up with his baseball form while in college think he will make the grade in the Southern League.

Sheriff Mabry and Jailer McClure made a whiskey raid in this county Thursday, visiting Townships Nos. 9 and 10. On the land between Reedy River and Rocky River the officers located four 5-gallon barrels filled with beer, and these were destroyed. Sheriff Mabry stated that the barrels were so well constructed that he could not destroy them with rocks, so he set fire to them, burning the barrels and the beer.

Mr. Robert Faggart, of Irving, Illinois, who has been visiting relatives in Cabarrus County since November 15th, will leave next Tuesday for his home. Mr. Faggart left Cabarrus county about thirty-three years ago for Illinois in company with Mr. Dan Saffit and Mr. Augustus Brown, and this is his first visit here since that time. Mr. Faggart is engaged in farming.

EVIDENCE IN THOMAS CASE

Salisbury, Feb. 22.—The eighth day of the second trial of O. G. Thomas, for the slaying of Arthur J. Allen, at Kannapolis, October 25, 1921, was devoted entirely to argument, five speeches being made. Seven speeches are scheduled yet to be made, and these are expected to run into Saturday.

Judge Webb announced that the contempt case growing out of the alleged threat of "Mutt" Lawing, to do bodily harm to Rev. D. P. Grant, a Methodist minister, who gave Lawing's father a bad character, would be heard Saturday at 10 o'clock. When Judge Webb yesterday issued a citation for Lawing the hearing was set for today.

Attorneys Cansler and Hartsell, who furnished a thrill several days ago, had another verbal clash this morning when Hartsell said he did not propose to be called a liar again by Cansler, and the latter replied that he had not called him a liar, and explained that he had spoken to Mr. Hudson, another of the state's counsel, about the incident of the other day, and had apologized to him for the same.

John Parker opened for the defense this morning, following in a speech of two and a half hours the first speech of the state, which was made yesterday afternoon by Mr. Williams. Two other attorneys for the defense, P. S. Carlton and John L. Handelman, followed Mr. Parker before the noon recess. This afternoon L. C. Caldwell, for the state, spoke nearly two hours, and T. D. Maness spoke an hour and a half for the defense.

Tomorrow T. F. Hudson, Solicitor Long and L. T. Hartsell are scheduled to speak for the state, Mr. Hartsell having the closing argument, and R. Lee Wright, W. H. Woodson, Stahl E. Linn and E. T. Candler will speak. The attendance of women has increased at each session of the court, until today a good per cent. of the audience was women. The attendance today was especially large because, it being a holiday, the Southern shops at Spencer were closed, and many of the employees were at court.

The last argument by counsel in the second trial of O. G. "Red" Thomas was delivered Saturday by L. T. Hartsell, of this city, and the case went to the jury Saturday afternoon at 1:15 o'clock. The charge to the jury by Judge James L. Webb, followed the speech of Mr. Hartsell. The Salisbury Post has the following story of the morning session of court Friday:

Arguments of counsel for the defense and the state in the case of O. G. Thomas, Charlotte automobile salesman, charged with the murder of Arthur J. Allen, Concord master plumber, on the night of October 25, 1921, near Kannapolis, occupied the morning session of the ninth day of the trial in the Rowan superior court with Judge James L. Webb, of Shelby, presiding.

Due to prolonged addresses to the jury, it is not believed that the case will go to the jury until tomorrow morning, unless a night session is held. This is considered improbable. Attorneys stated the jury ought to get the case by tomorrow noon at latest.

R. Lee Wright, and Walter Woodson, for the defense, and T. F. Hudson, for the state, spoke this morning. Four attorneys are yet to speak: two for each side. Stahl Linn was the first speaker this afternoon. He will be followed by Solicitor Zeb Long. Then Mr. Cansler will close the argument for the defense, followed by the final address by Attorney Hartsell for the state. Then comes Judge Webb's charge.

Stating the life of the accused on the plea of self defense—that Thomas had the right to kill Allen if he believed a felony was about to be committed—State Senator Woodson, delivered a splendid 50 minute appeal to the jury. He was the last speaker before lunch.

Quoting a recent decision of the supreme court of North Carolina Mr. Woodson asserted that Thomas was justified in killing Allen under the circumstances. He read: "One may kill in self defense when there is no real danger, but the danger is only apparent if he has reasonable grounds to believe that the danger really exists; and a reasonable belief that a forcible felony is in the act of being committed on one, will excuse the killing of the supposed assailant though no felony was in fact intended."

"On this legal principle," he said, "the defense is placing their main contentions." As during the previous sessions, the court room was packed. Mrs. Thomas sat with her husband. They listened silently to the various arguments, constantly watching the jury and the speaker.

Mrs. Allen, who sat just across the aisle with friends, occasionally wiped tears from her eyes as attorneys referred to the death of her husband. Mr. Wright opened the arguments this morning for the defense. In addition to quoting numerous cases of law directly in point Mr. Wright reviewed some of the salient points of the tragedy.

"Taking Mr. Caldwell (attorney for the state) at his word, if Mrs. Lowe wasn't in the car with Allen that night, there is nothing in the case, I shall endeavor to prove that there isn't." He then reviewed that particular phase of the subject which has been covered by previous speakers. Mr. Wright predicted a verdict of not guilty in ten minutes after the jury is given the case.

Mr. Wright especially devoted his time to vigorous attack on the charger and testimony of McDuffie, Biggerstaff and the Lawing girl, all state witnesses. He described them as possibly being victims of "habit lying." Mr. Wright emphasized the fact that Carrie Kimball, although a woman of bad repute, had testified to the truth and had testified first at the first trial of the defendant at Concord. Then Mr. Hudson spoke for the state. He said that this was the second time in his practice he had ever been called upon to assist the

state in prosecution in a murder trial. First, he paid a tribute to Thomas, stating that he had met him and that Thomas had directed him on his way at one time shortly before the homicide.

"I don't criticize Thomas. I pity him. He's a fine fellow. His wife is a beautiful woman. She is good and kind. God Almighty has stamped these features on her face. And how she can sit there through this anguish and heart-rending proceedings, and wear a beautiful smile—God Almighty only knows."

Mr. Hudson took a view of swimming parties, picnics, etc., contrary to that of Attorneys Williams and Caldwell who had preceded him speaking for the state. Instead of criticizing such amusements, he commended them.

"Nobody likes to swim better than I do," he said. "If a woman is a harlot, she's got to say so herself—not me. I'll get a no woman. Judging from the appearance of Mrs. Lowe she has gone through the tortures of hell and I sympathize, not criticize her. The bill of indictment charges Thomas with murder, not Mrs. Lowe. What I shall say will be of Thomas, then."

Mr. Hudson then entered into a lengthy discussion of the proper attitude of man towards good looking women and on right living. He said Thomas, instead of fleeing, ought to have rendered first aid to the injured man.

"If you find Thomas was justified in shooting Allen, free him; have the manhood to do; if, on the other hand, you find the contrary so, convict him," he concluded. Mr. Woodson made a snappy and to-the-point address. He commended Mr. Hudson on the stand he had taken and lamented the fact that Messrs. Caldwell and Williams hadn't taken his attitude.

"Man has the inalienable right to protect himself from harm. That's where we plant our position. We'd be a race of jelly-fish if we didn't believe in protecting ourselves." At this juncture he brought in the fact that Thomas was an ex-convict.

"The state tried to make the chastity of Mrs. Lowe the issue of the case. This is fallacious. The life of Thomas is the issue at stake. No man is justified at night time in approaching another and hollering 'hands up.' If he does so, he does it at his own peril. Allen did it at his peril. Thomas had the right, according to law, to shoot."

"As for Carrie Kimball, who told the truth regardless of her character, I can say nothing else than this: 'Go and sin no more.'" Mr. Woodson told of other homicides that had happened recently. He said that often members of families shot each other through mistake. "Thomas, although a friend of Allen, didn't recognize his form or face, like fathers sometimes kill their children through mistake at night."

Concluding, Mr. Woodson declared there was no evidence to show that the murder was wilful or premeditated and scorned the idea of a conspiracy. "Gentlemen, in the name of justice, I ask that you bring this message to the defendant: 'Thomas, you are free.'"

Two addresses were made to the jury yesterday afternoon. L. C. Caldwell, Statesville, spoke for the state. He was followed by Attorney Maness, for the defense, of Concord. Mr. Maness, in the course of his speech, predicted that the jury would return a verdict of "not guilty" in 30 minutes.

Mr. Caldwell began when court reconvened after lunch. Mr. Caldwell spent a great deal of time in reviewing the testimony of Globie Lawing, state's star eye witness. He said her evidence was that of an innocent child and was to be believed, despite vehement assaults made on it by speakers for the defense.

"One honest witness can outweigh the testimony of a hundred others," he declared. "Truth is instinctive in children." "Furthermore, if you find any married man constantly in company with a married woman, you'd better look out; you can put it down in your hat, you've got to watch that person at least."

Mr. Caldwell spoke highly of the caliber of the state's witnesses, alluding specifically to the testimony of Biggerstaff, McDuffie and the Lawing girl. In justifying McDuffie's account of the woman he thought was Mrs. Lowe whom he said he saw in a potato patch, he exclaimed: "It was curiosity that prompted McDuffie to watch the movements of the woman. Every man delights in the thrill of looking at a good looking woman. I don't mean sensuousness either. When I get too old to enjoy looking at a beautiful woman, I want someone to get a butcher knife and cut my throat. Any fellow who wouldn't have looked at that woman that night ought to have had his eyes knocked out."

"I maintain that Thomas knew Allen before he shot him," he said. "The State of North Carolina is crying out for justice. I wish, 'Oh, I wish, that dead man (Allen) could be brought back to life. I'd like to hear what he has to say; for the truth is not yet fully known.'" He paid a tribute to the virtue and beauty of Mrs. Thomas, but said he pitied her "with such a hellish husband."

Mrs. Thomas stared him in the eye as he made the statement. Thomas also watched the speaker. Attorney Maness, for the defense, vigorously assailed a number of statements made by Mr. Caldwell and Mr. Williams, for the state—statements they had made in addressing the jury. He branded them as false and produced the evidence and read to the jury the testimony as taken down by the stenographer.

"And I defy the counsel for the state to contradict my corrections," he said pointing challengingly at the opposing attorneys. Mr. Maness analyzed Globie Lawing's statements and affidavits. He pointed out several alleged inconsistencies. At one place she had testified that when she observed the shooting, Viola Setzer was with her and at another, that Carrie Setzer was alone. Mr. Maness then read an affidavit

signed by Globie Lawing. He said that the attorneys for the state had taken advantage of her tender years; had asked questions they wanted, and had lead her on to answering them in the manner they desired.

"Where are the questions they asked? Why were they deleted? Where were the defense's representative? Mr. Maness charged that the counsel for the state had made insulting remarks about the character of the people of the community of Kannapolis and Concord. He referred to 'the gentlemen's agreement between parties who attended the swimming parties, picnics, and possum hunts,' which he alleged was insinuated by counsel for the state. "It's an insult!"

Mr. Maness enumerated 16 things necessary for the jury to believe before they could convict Thomas of first degree murder. He read them from a prepared manuscript. The speaker compared the evidence or testimony of Mrs. Carrie Kimball with that of Carl Biggerstaff, stating that equal significance could be attached to each.

"No witness has stated or insinuated one solitary reason why Thomas should have had malice to kill Allen. If you render a verdict of guilty then you declare that Mrs. Lowe is an adulteress and Thomas a murderer; both Lowe, her faithful husband, and rather you would shoot him."

Before concluding Mr. Maness, in violent terms, condemned some of the illustrations and tactics resorted to by Mr. Caldwell, modifying several of the latter's statements. "I ask you for a verdict of not guilty," he concluded.

A Beautiful Sight and a Wonderful Transformation. On Thursday February 22, the Roberta school planned a celebration of the birthday of the Father of our Country, as did many other schools, by putting on a program of work on the school grounds in the morning, and a literary program of a patriotic nature in the afternoon. Several of the farm patrons came early with teams, wagon, picks, shovels, chains, crowbars, etc., ready for work. The Roberta yard has a full share of the rock that extend in ledges above the ground and that is so common in that section of the county. Many in the front yard appeared to be immovable, but this appearance did not dampen the ardor of the strong and husky farmers. With ten team of mules and many more men the task was begun. Some prized rock, some hauled rock away, some hauled a filling soil, while others filled with the dirt hauled—all ending a helping hand on a big job. The work continued till noon after this fashion. But the big job was only half done. Stop? No, not till the big job is done. After a lunch the good work was resumed. The literary program gave way for the male, men and muscle program. The principal of the school and the young ladies hoisted a new national flag on a handsome pole just to the side of the busy scene, and the work continued, with a regularity that bespoke business. With "Old Glory" unfurling her folds to the breeze, and with men under her stripes in garbs of honest toil, with muscles of steel and with faces that bespoke both good cheer and purpose, w' beautiful young ladies going about the house, putting on the finer touches. This good work went on constantly until far into the afternoon, till what was a rugged ledge of rock in the morning became a beautiful white cloud yard before evening—a wonderful transformation. All glory to such genuine patriots everywhere that make such beautiful transformations possible. X

Three persons paid fines totalling \$15 in recorder's court Friday. One defendant charged with beating a board bill and was found guilty by the court and two other defendants charged with keeping their place of business open during Church hours on Sunday were found not guilty by a jury. The defendants claimed they were running a hotel in connection with their cafe, and the jury sustained

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SOUTHERN RAILWAY SYSTEM Passenger Train Schedules

Table with columns for LV, NO., and arrival/departure times for various routes like New York-Birmingham, Birmingham-Atlanta, etc.

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