

CHARGED WITH CRIMINAL ASSAULT

CHAIN GANG GUARD ARRESTED ON SERIOUS CHARGE.

George Barnhardt Now in Jail.—The Crime is Alleged to Have Taken Place Sunday, February 16.—Barnhardt Drove Mrs. Sam Kirby to Chain Gang to See Her Husband, Who Was on the Gang.—She Claims That He Drew a Pistol on Her.—Husband Had Barnhardt Arrested as Soon as He Was Discharged From Gang.

George Barnhardt is in jail, charged with criminal assault on Mrs. Sam Kirby. He was arrested Thursday afternoon while at his work as guard on the county chain gang, Deputy Sheriff Propst making the arrest. The warrant was sworn out by Sam Kirby, husband of the alleged victim, and was issued by Squire G. M. Lore.

The crime is alleged to have been committed last Sunday a week ago. Mrs. Kirby made her home at the Gibson Mill, residing there during the past eighteen months while her husband has been serving a sentence on the chain gang for storebreaking.

According to her statement about the affair, Barnhardt came by her home Sunday a week ago and told her if she wanted to see her husband she would have to go to the gang at once as the authorities would not allow her to see him late in the afternoon. She stated that after hesitating about going she finally concluded to go, leaving with Barnhardt. At a point on road near a saw mill place, which is surrounded by a clump of trees, she alleges that Barnhardt drew a pistol on her and compelled her to go into the woods where the assault was committed. When reaching the chain gang she was allowed to confer with her husband to whom she related what had taken place. On being informed of what had occurred she states that her husband told her not to say anything about the matter; that if she did the guards at the gang would kill him.

Nothing more was heard of the alleged assault until Thursday. Kirby's time was out and he was given his liberty. He returned to his home here and secured an attorney, Mr. L. T. Hartsell. As above stated a warrant was issued and Barnhardt arrested. He was brought to the court house here and waited at the sheriff's office for a short time, waiting for his attorney, Mr. T. D. Maness, who had been sent for. While in the sheriff's office he talked to a representative of this paper about the affair.

Barnhardt protested that he was innocent. "I am as innocent as anybody," he declared. "I never thought of such a thing and did not know that there was any charge until Mr. Propst came to the gang this afternoon. Kirby did not like me because I made him come back to the gang when he went farther away than the regulations allowed. His wife was out there on Sunday. He was a trusty and they went off the afternoon she was out there farther than the trustees are allowed to go and I made him come back to the gang. He got mad about it and he has not liked me since."

Barnhardt's attorney, Mr. Maness, came up as he concluded the statement and they held a conference, which lasted for some time. Later he was remanded to jail without bail to await a hearing before Squire Lore this morning.

Barnhardt is 45 years old and is a native of Concord. He owns a home at the Brown Mill and is married and has a wife and several children living there. Before being employed as a guard at the chain gang (December, 1912) he worked at several furniture stores here. He has also worked as special officer at the court house during sessions of the superior court.

Kirby is said to be a native of Burke county but it is understood that his father now lives in Florida. He came here several years ago and worked as an insurance agent. On account of unsteady habits and dissipation he did not meet with success and soon left. Later he returned. While on his second trip here he broke into Barrier & Widenhouse Company's store and stole a lot of clothing. After tracking him in various South Carolina towns Chief of Police Boger succeeded in capturing him at Morganton, his former home. He was brought here, tried and convicted. He was sentenced to two years on the chain gang but on account of his having only one arm the judge reduced the sentence to 18 months. Mrs. Kirby has been working in one of the mills here during the time Kirby was on the chain gang and made her home on Kerr street.

Barnhardt was arraigned before Esq. G. M. Lore Friday morning at 10 o'clock, and the trial was postponed until 2 o'clock that afternoon.

As the result of eating match heads Wednesday afternoon Dorothy Britt, daughter of Mr. and Mrs. Vester Britt, residing near McDaniels, in Robeson county, died Thursday afternoon. The little girl was in her fifth year.

GEO. BARNHARDT HELD WITHOUT BAIL

ON CHARGE BROUGHT BY MRS. SAM J. KIRBY.

Lengthy Hearing of the Case Yesterday, Three Hours Being Consumed in the Trial.—Committed to Jail Last Friday Night.—Habeas Corpus Proceedings Will Be Instituted Before Judge Webb for His Release.

The case of George Barnhardt, the chain gang guard who was charged by Mrs. Sam J. Kirby with rape, was tried before Esq. C. A. Pitts in the court house Friday afternoon. A large crowd was present to hear the evidence. The case was moved before Esq. Pitts on affidavit. Six witnesses were examined for the prosecution, namely: Sam J. Kirby, Mrs. Sam J. Kirby, Mitchell Norkett, Lester Herrin, Pink Blackwelder, Crawford Steele.

Several character witnesses were also examined for the defendant. The case was gone into thoroughly and the hearing was in progress about three hours.

After the hearing Magistrate Pitts committed Barnhardt to jail, stating, he says, that his decision would be reserved til next morning. Saturday the following judgment was entered on his docket:

That the defendant is not guilty of rape upon the evidence of the prosecutrix, but there is probable cause for an assault with attempt to rape; and it is further ordered and adjudged that the defendant give a justified bond in the sum of \$1,000 for his appearance at the next term of court.

Attorneys agreed, however, that inasmuch as Barnhardt had been committed to the sheriff without bail, and inasmuch as the court of the magistrate who tried him had adjourned, he could only be released by instituting habeas corpus proceedings before a Superior Court Judge. Barnhardt's attorney, therefore Mr. Maness at once prepared papers for such proceedings, the case to be heard by Judge Webb.

Mr. L. T. Hartsell represented the prosecutrix and Mr. T. D. Maness the defendant.

WAR DECLARED.

Catarrh Germs Must Be Conquered Or Health Will Be Destroyed.

If you have Catarrh you must vanquish an army of persistent, destructive microbes before you can be healthy. You might as well choose your weapons, declare war and destroy this army of germs right now.

Booth's HYOMEI, a pleasant germ destroying air breathed over the entire membrane will kill Catarrh germs. Booth's HYOMEI (pronounce it High-o-me) is guaranteed by Gibson Drug Store to end Catarrh or money back. It surely is fine for coughs, colds and croup. If you own a little HYOMEI hard rubber inhaler get a separate bottle of HYOMEI for only 50 cents. If you haven't an inhaler secure a complete outfit for only \$1.00. Just breathe it—no stomach dosing.

75,000 STRIKING GARMENT WORKERS RETURN TO WORK

As the Result of a Compromise—Won on Question of Sanitary Workshops.

New York, March 1.—Seventy-five thousand workers, the remainder of 155,000 who struck in December, returned to work today as a result of a compromise. They won on the question of sanitary workshops and abolition of sweat shops. The compromise on wage increase demand and for closed shop was won by employers.

A Big Auto Truck.

Mr. T. J. De Laney, representing The White Co., of Cleveland, O., builders of motor cars, was here Friday demonstrating a monster motor truck. The truck brought from the depot fifty bags of corn weighing 112 pounds each, an aggregate of 5,600 pounds. It is a car of three ton capacity, is 15 feet and 9 inches long and 6 1/2 feet wide. It sells for \$3,885. The car created considerable interest, and the demonstration of the work it will do was witnessed by a large number of people.

The Western Union Telegraph Company has discontinued its office at China Grove and will use the Bell Telephone connections for the transmission of messages. This has caused a protest on the part of the citizens, and a petition largely signed was sent to the Postal Telegraph Company, asking it to equip an office there.

A. G. Delamater, the well known successful producer of clean plays, believes he has in "Freckles" the greatest dramatic success of the current season, and will send five companies on tour, playing all the leading high priced theatres of the country from the Atlantic to the Pacific. At Concord opera house March 6. adv.

BETTER FREIGHT RATES NOW SEEM ASSURED.

Railway Officials Assume Entirely Different Attitude.

Raleigh, Feb. 26.—The fight of North Carolina for better freight rates to points in this State from the west, compared with Virginia rates, assumed a much more satisfactory condition this afternoon as the outcome of the second conference of the state commission with the railways of North Carolina. There were a large number of officials of railways, including presidents, interested citizens and state officials present for the hearing, which took place in Governor's Craig's office.

The railway officials assumed an entirely different attitude this afternoon from that of the previous occasion, two weeks ago. At that time they argued how ruinous it would be for them to abolish the discriminatory rates obtaining in this state over Virginia cities. This afternoon Capt. A. P. Thom, chief counsel for the Southern, and spokesman for all the railway companies concerned, read a statement setting forth the attitude of the railroads, which opened up negotiations that may result in the saving of thousands of dollars annually to North Carolina shippers.

Fire Scare at China Grove.

China Grove, Feb. 27.—The town had quite a scare yesterday; about 5:30 o'clock when it was noticed that the roof of Doctor Swaringen's drug store was on fire. Doctor Swaringen had gone to his farm, a short distance away, and the store was closed. In order to gain an entrance a front window was smashed. When parties got to the loft they found quite a blaze among the boxes and barrels of excelsior and other stuff. Another window was smashed, and this stuff thrown out.

Prompt action saved not only this building but perhaps many others adjacent. The only damage was a hole in the roof, a number of broken bottles, windows and a flood of water.

Charged With Big Cotton Theft.

Newport, R. I., Feb. 28.—J. William Dacey and James Holden, of Fall River, and Felix Breatuit, of Swansea, Mass., were arraigned in court today for trial on an indictment charging them with the larceny of cotton and cotton waste, valued at \$12,000, from the Shove Mills at Tiverton. Holden is a well known manufacturer of cotton and rope banding and Dacey is employed by him. Breatuit is a boss carder at the Shove Mills.

Bryon to Raleigh.

Raleigh, Feb. 27.—National Committee man Josephus Daniels, who is said to be selected as the secretary of navy in the Wilson administration, will meet Mr. Bryon here Saturday, and these gentlemen will accompany Governor Craig and his staff to Washington to attend the inauguration, just as had been planned all along. Mr. Bryon comes here to make an address Saturday, and the party will leave Sunday night.

Charged With Arson.

Salisbury, Feb. 27.—Charged with setting fire to the home of George White, colored, burned in Salisbury last week, Mattie Garwood was given a hearing in Rowan court today and held without bond for Superior court. The arrest was made at the instance of Deputy Insurance Commissioner F. M. Jordan, sent here to investigate the burning. The owner of the house barely escaped death in the fire.

Will Leave it to Wilson's Administration.

Washington, Feb. 28.—Great Britains rejoinder to Secretary State Knox's note on the Panama Canal tolls question has formally presented by Ambassador James Bryce at noon today and laid before the last Taft cabinet meeting. It has authoritatively stated no attempt at a rejoinder would be made by the present administration.

Sold Mortgaged Property.

Salisbury, Feb. 27.—S. D. Basinger was arrested at his home in Morgan township last night by Sheriff J. H. McKenzie on the charge of disposing of mortgaged property. He had just returned home after an absence of two years. He will be given a hearing in Rowan court.

A man who said his name was S. H. West, of Wilmington was found at the depot Thursday by a policeman and taken charge of. He appeared to be unable to remember how he came here. He says he was delivering pictures near Newell, in company with a fruit tree man. Several drinks were taken, and he thinks he was doped. He remembered nothing further until he found himself here, he says. He refused to allow the officers to communicate with his people.

Dr. R. S. Young, accompanied by Mrs. Young, who had been with him for two weeks at a Baltimore hospital, returned to Concord Thursday. Many friends will be glad to learn that Dr. Young is recovering nicely from his serious illness.

General Rosalie Jones is the fortunate commander who leads her suffragettes troops not to battle, but to scenes of triumphal ovation.

GEE! WHAT A WHALE.

Concord Citizen Tells of Big Sea Monster Captured in Florida.

Mr. T. D. Maness returned a few days ago from Florida, where he has been spending several weeks. One of the most interesting incidents related by Mr. Maness of his trip was a visit to the big sea monster at Miami. The fish is reputed to be the only one in the world of its kind. It is not classified in natural history but is proclaimed by scientists to be the most remarkable specimen ever captured.

The fish was captured June 1, 1912, in the vicinity of Knights Keys, Fla., after a fight lasting 39 hours. Five harpoons and 151 bullets were required to subdue the monster and it took five days to finally kill it. In the fight the fish smashed a boat and knocked a rudder and propeller off a 31-ton yacht. After it was subdued it had to be towed 110 miles by a tug.

The dimensions of the fish are: weight, 30,000 pounds; length, 45 feet; circumference, 23 feet, 9 inches; mouth, 38 inches wide and 43 inches deep; tail measures 10 feet, tip to tip; hide, three inches thick, no scales.

The characteristics of the fish are said to be contrary to all laws of natural history. It is providing a great curiosity even to the people of the coast of Florida who are accustomed to various freaks of the sea and is being visited by hundreds of people.

BOYS' CORN CLUB.

Thirty-Six Cabarrus Boys Have Entered the Contest for 1913.

The farmer boys of Cabarrus have taken and are taking much interest in the corn-raising contests, and 36 of them have been registered for the contest of this year. There are only eight counties in the State which have a larger number entered, and these are:

- Alamance, 40.
- Beaufort, 39.
- Cleveland, 45.
- Johnston, 55.
- Robeson, 52.
- Sampson, 54.
- Union, 37.
- Wilkes, 67.

As all of these counties are larger than Cabarrus, it will be seen that, area and population considered, this county probably stands at the head in the number of boys entered. The total number of boys who have entered the club in the State is 1429.

DIAZ WILL RETURN TO MEXICO.

His Nephew, Felix Diaz, Has Announced His Candidacy for the Presidency.—The Return of His Uncle a Good Stroke of Politics for Him.—De la Barra Will Probably Be Diaz's Strongest Opponent.

Mexico City, Feb. 28.—The return of the exiled Porfirio Diaz within the near future was made certain when a group of officers was delegated to escort him from Paris. Felix Diaz, his nephew, today formally announced his candidacy for the presidency. The return of Porfirio Diaz before the election is regarded as a stroke of good politics by Felix Diaz. Minister of Foreign Affairs De la Barra will likely be the strongest candidate against Diaz.

UNFAVORABLE REPORT ON CABARRUS HIGHWAY BILL

Made in House Committee This Morning.—Minority Report Will Be Submitted and a Stiff Fight is Promised.

Raleigh, N. C., March, 1.—The House Committee on roads made an unfavorable report of the Cabarrus highway bill. The vote was nine to four. A minority report will be submitted and a stiff fight is promised.

Birthday Anniversary.

Miss Earlie Cochrane celebrated her 16th anniversary by entertaining a number of friends at home on the 22. Those present were: Misses Nell and Ruth Sloop, Ella Whitley, Annie Wilson, Nell and Addie Sue Harry, Florrie, Clara and Mabel Wentz and Ava Walker, Macie and Janie Cochrane, Messrs. Atlee and Young Davis, Wilbert Holland, Charley Whitley, Jim Sloop, Samuel Leiser, Emmitt Blackwelder, Henderson Overcash, Ira Taylor, Elmer and Walter Cochrane, Bonner, Bryan and Lafayette Wentz. Numerous games were played and dainty refreshments were served. The evening proved to be one of universal enjoyment. A. B. C.

Chain Gang Operations Suspended.

All the guards of the chain gang, except one, were in the city Friday to attend the Barnhardt trial, and the operations of the gang were suspended. They are located on the Poplar Tent road, and a gentleman who passed the camp Friday morning says it was left in charge of one guard, Mr. Beaver. There are, we learn, about 30 men on the gang.

Miss Janette Lentz returned home today from a visit to Miss Lillian Miller at China Grove.

Mr. John A. Blackwelder, of Newberry, S. C., arrived Friday night to spend a few days in the county.

QUALITY IS OUR PASSWORD

Don't merely turn over a new leaf in your promise to yourself to buy better shoes, but glue that leaf down with a pair of our good shoes.

What's new in low shoes is here ready for your try on. Tan, Patent and Dull Leather. Shoes and prices both fit.

Browns-Cannon Co.

Men's Outfitters

GROVER SHOES

For Street Wear

Grover Shoes possess style and quality, yet they are the shoes for tired or tender feet. All of the spring styles are now on sale.

White-Morrison-Flowe Co.

Sole Agents

A Boy Scout's Bravery and Alertness.

Clarence Emerson, of Buffalo, N. Y., has won a bronze honor medal from the National Court of Honor of the Boy Scouts of America for saving a little girl from being run over by a street car. A stranger who saw Emerson's quick-witted work describes it as follows: "I was looking out of my window and I noticed an electric car running south along the avenue. I saw a little girl run directly in front of the rushing car, and it seemed to me that there was no escape for her. Young Emerson was coming up the street on roller skates, his arms filled with newspapers. He threw the newspapers aside, grabbed the child and both rolled over on the pavement out of harm's way. The car ran by under such headway that to stop in time to save the little girl would have been impossible."

An enlightened public sentiment is now demanding that milk shall be produced under clean conditions. People know that dirty cows, dirty barns and dirty attendants doing the milking and hauling the milk mean dirty, dangerous milk, and the fact that the dairymen know that public sentiment is demanding clean, safe milk is doing more to better conditions out in the country, where the milk is produced, than any other one agency we know of. Let us all help to create a still stronger sentiment demanding clean milk. It is only when people are alert and interested in having the things that make for better living standards that they are certain to have them.

SEABOARD AIR LINE RAILWAY

TRAINS LEAVE CHARLOTTE—EFFECTIVE JANUARY 5, 1914.
No. 40—5:00 a. m., through train for Wilmington with parlor car attached. Connects at Hamlet with No. 41 for Portsmouth and Norfolk. No. 41 for Raleigh, Washington, Baltimore, Philadelphia and New York. Dining car service and vestibule coaches to Washington. Pullman sleeping car to Jersey City.
No. 48—7:30 a. m., for Monroe, connecting to all points south.
No. 133—10:55 a. m., local for Charlotte, Shelby and Rutherfordton.
No. 47—4:40 p. m., for Salisbury, Shelby, Rutherfordton and points west.
No. 44—4:50 p. m., for Wilmington and connecting at Hamlet for all Florida points.
No. 132—7:45 p. m. Handles local passenger for Portsmouth, Norfolk, connecting at Monroe with No. 41 for Salisbury and Southwest with through sleeper to Birmingham; at Monroe with No. 32, fast train with sleeper to Portsmouth and Norfolk and Jersey City. Connects at Hamlet with No. 34 with through vestibule coaches for Washington. Dining car. Richmond to New York. Pullman sleeping car to New York.
TRAINS ARRIVE AT CHARLOTTE—No. 134—10:55 a. m., from the east.
No. 46—10:05 a. m., from the west.
No. 45—12:10 p. m., from Wilmington and all local stations.
No. 135—7:30 p. m., from the east.
No. 49—7:25 p. m., from the east.
No. 39—11:00 p. m., from the east.
C. B. RYAN, G. P. A.
JAMES KER, T. P. A.
H. S. LEARD, D. P. A.
H. T. ORR, T. A.

Walker Declined the Attorney-Generalship.

Trenton, N. J., March 1.—The Chancellor Edwin Robert Walker, the legal adviser of President-elect Wilson in the preparations of the anti-trust bills, known as the seven sisters, was offered the attorney-generalship and declined, it is learned today. He preferred his position as head of the New Jersey judiciary.