THE CONCORD DAILY TRIBUNE

Decision is Handed Down Today: - Case Was Tried at Concord at the January, 1922, Term of Court.

KILLED A. J. ALLEN LAST OCTOBER Jurist.

Was Under Sentence to Serve

(By the Associated Press.) Raleigh, Dec. 13.—The Supreme Court today handed down a decision Court today handed down a decision granting a new trial to O. G. (Ret) Judge Lyon is very active. His face man, who was convicted in Cabarras County of second degree marder in connection with the killing of A. J. Allen at Kannapolis near Concord last October. Thomas was under a sentence of 18 years in the state peniten.

Although seventy-two years of age Judge Lyon is very active. His face and figure give him an appearance typical of a jurist. His hair and mustache are white, but the blue-gray eyes that peer at one from behind shell-rimmed glasses are clear and steady. "Sixteen years is long enough for a man to spend at one job," he smilling-line. The court held that Judge J. Bis tiring. ly replied when asked why he was re

"We did not intend to suggest that His Honor did not charge the jury as to manishaughter," reads the decision. "He did, but in doing so he failed to my goal in life was to become a super-trial of cases. I resolved then that the my goal in life was to become a super-trial of cases."

stantial and escential features of the case and the defendant excepted." Thomas admitted that he shot and killed Allen with a pistol, but con-tended he shot in self defense. The shearing occurred near Kannapolis on the night of October 25, 1921.

Cabarrus County Superior Court here last January created statewide interest. Thomas was charged with first degree murder for the killing of Ailen in Kannapolis on the night of October 25th, 1021, and after a trial tasting almost two weeks he was found guilty

The case was one of the most im- "There also has been another original cases every tried in change; years ago inwyers were force-The case was one of the most important criminal cases every tried in this county. During the entire trial the court room was packed, and interest in the case, continued until the final night session when the jury returned from the property of the case, continued until the final night session when the jury returned from the property of the case, the suid transfer being out less than burns hours.

den Clement was assisted in the prose-cution by L. T. Hartsell and H. S. bent, in 1920, elected and re-elected in

Immediately after being sentenced fice, he was appointed solicitor-gener-Thomas took an appeal and his bond al of the eighth judicial circuit and was fixed at \$20,000, which was furn-served for six years. The court's decision enth division. had been expected since last week.

It is not known here today just when possible that a change of venue will be asked, though attorneys for Thomas have not intimated what action they would pursue should the Supreme Court grant a new trial. Cabarrus Superior Court convenes again in January, and it is possible that the case may come up again at that time. Since his conviction here last January Thomas has been living in Char-

lotte selling automobiles.
The killing for which Thomas was tried occurred in Kannapolis on the night of October 25th, 1921. While riding with Mrs. Robert Lowe, promi-nent woman of Kannapolis, Thomas testified at his trial, he was accosted by an unknown man who asked "Are you following me?" When Thomas answered in the negative he test fled that the man said. "Then throw ap-your hands." At this command be shot, he testified, not knowing who he

shot, he testified, not knowing who he was shootine at, and not knowing that he had shot the man until after he reached the business section of Kannapolis a few minhtes later.

Alten was known to Thomas, and the two men had had business transactions, it was brought out at the tral, and Thomas testified that he had nothing against Alen, would not have shot had he knon who accosted him, but that in the dark he could not tell whether the person who approached that in the dark he could not tell whether the person who approached his car was white or black.

Mt. Pleasant is the place, Saturday night is the time, at eight o'clock. Go to the auditorium downtown.

line's electric chair and have passed the death sentence on five others who were executed. I am mays than over opposed to capital panishment." Judge C. C. Lyon, now in Raleigt presiding over his inst term of super-lor court, today made this sustement to The Associated Press while discuss ing his experiences and the impres-

"I would be more active in my on position to capital punishment," he said, "If it were not for the fact that a Eighteen Years in the State majority of persons convicted of crimes Penitenitary.—Has Been our currying long terms of imprisonment either escape or are granted elemency within a few years. Very few of them

ever serve their complete sentences. "Still, I believe capital punishmen has failed of its purpose and is no

Ray had failed in his charge to the "When I became judge of the super-jury to state "in a plain and correct manner the evidence in the case," and to explain the law arising therefrom.

for court judge."

Judge Lyon's early education was interrupted by the war between the states and the resulting conditions high school in Bladen county and then studied law in the offices of his olde brother, the late Robert H. Lyon, at Elizabethtown. He was admitted to the bar in 1872. In 1900, he was appointed solicitor-

general of his circuit by Governor Ay-cock, and a year later was elected for a term. He was elected judge of the seventh_judicial circuit in 1906 and reelected eight years later.
"Attorneys of the present day," said

of second degree murder and scutenced to serve 18 years in the State penitentiary. Judge J. Bis Ray presided at "as a whole are not as eloquent and oratorical as those of olden times.

Carolina appeared in the case. The have followed their father's profession. One daughter, Mrs. J. M. Clark, resides at Elizabethtown.

of Charlotte, John M. Oglesby, J. Lee

Crowell and

Crowell and Maness, Armfield and member of congress from the sixth Sherrin, of Concord. Solicitor Hay North Carolina district, having been 1922. Before being elected to this of-

ished by several Concord men. His case was not heard by the Supreme Washington, D. C. During the war he Court until several weeks ago when Mr. Parker argued it before the State's the rank of major, of the thirty-sev-J. Alden Lyon is prac ticing in Elizabethtown.

Lucky Royal Servants.

London, Dec. 13.-The festive senson British schooner, seized costs King George at least \$40,000. Each of the four hundred and fifty Windsor, Balmoral and Sandringham, each of whom receives a gift varying from five dollars to twenty-five dollars in value.

A short time before Christmas His Majesty makes a list of the charities to which he wishes to send donations. and about \$15,000 is spent in this way An enormous amount of food, con-sisting of beef currents, raisins, and the royal kitchens at this time of the

The royal family spend Christman very quietly. Many of the servants are allowed to go to their homes for about ten days, the King paying their

Will Not Assign Any Special Part of Turkey as a National Home for the Unfortunate Armenian People.

NEW ATTEMPT TO DISMEMBER TURKEY

Says Ismet Pasha, Who is Irreconcilable on Other Points Concerning Treat- ago mailed direct to New Bern check for \$25. ment of Minorities.

Lausanne, Dec. 13 (By the Associated Press).—Turkey refused at tolay's session of the near east conference to assign may special part of Furkey as a national home for the Arnerdans. Ismet Pasha declared this er Turkey.

other points concerning the treatment purpose of supplying local and outside of minorities in Turkey. Besides dedaring that Turkey side an inch of Turkish soil for an Armenian national home, he said she being completed by officials of the would not accept regulation of rights Farmers' Federation here. of minorities by an international com-mission in Constantinople or else-

that there would be no sympathy anyconference broke down on the question of the treatment of minorities. After a long and unsatisfactory disussion the entire question of minorties was referred to a sub-commission

NO ACTION TO BE TAKEN AGAINST YOEMANS duce to foreign buyers.

Prohibition Director Kohloss (By the Associated Press.)

Raleigh, Dec. 13 .- No action will be plans. taken against Capt. Walter Youmans, of the Const Guard Station at Ports mouth, N. C., who was accused by a witness in the trial of Arthur Cole man, owner of the "Message of Pence" and Clande Graham, super cargo charged with conspiracy to violate the while Coleman removed liquor from the ressel for sale to two Boston sportsmen, R, A, Kohloss, federal prohildtion director for North Carolina,

stated foday.

cotain Joensans was on the yessel at the time the alleged sale was
made in the capacity of a coast "and was not in charge. The Message of Peace' is a British vessel, and while it was a violation for the liquor to be sold at Ocracoke, I do not think Mr. Yoemans knew this, as this is one of the first cases of its kind that has seen handled in North Carolina."

The director said he did not know whether the Treasury Department, under which Captain Yoemans works,

All Federal Prosecution Stopped.

Raleigh, Dec. 13,-All Federal prosecution of Captain Arthur Coleman and his shipmates on the Message of Peace, a year ago with more than 1,000 cases for not prosse of the indictment.

By the terms of the compromise, announced by attorneys, the Message of erpool was relatively Peace now tied up at Wilmington is to be released at once to Captain Coleman, the owner, and the cargo of Southern selling. liquor held by customs officials in Cotton futures opened steady: Deby customs officials in Wilmington is to be confiscatedd by prohibition officers.

Cases against Coleman and Claude

Graham, super cargo on the Message of Pence, charging the two, along with three other defendants who failed to show up, with conspiracy to violate national prohibition laws and with perjury are to be quashed under terms of the agreement with government at-

Washington, Dec. 13.—Consolidation of the War and Navy Departments in to a Department of National Defense, designed to function under a cabinet member, with the assistants in charge of the army and navy respectively, his been definitely recommended to President Harding by Walter F. Brown.

| Bargest of its kind that has been held. Many problems of government, dealt timates the proceeds will retire the bonds issued against the purchase trimates the proceeds will retire the bonds issued against the purchase trimates the proceeds will retire the bonds issued against the purchase trimates the proceeds will retire the bonds issued against the purchase to cliector, and on all salaried persons in the state receiving incomes less than \$5000 annually, he said, and these will be used in checking this years' redeated the proceeds will retire the been definitely recommended to Presi-dent Harding by Walter F. Brown, head of the commission appointed to prepare a plan of governmental reor-

and of the Kesler Manufacturing Co., evening until after Christmas. You without charge.

The Dove-Bost Co., sells Royster's candies in fancy loxes and in bulk. See Hoover's new ad. today for within a week or two accompanied by a message expressing the opinion of the administration on each of the dangers approached.

The Dove-Bost Co., sells Royster's candies in fancy loxes and in bulk. See Hoover's new ad. today for Christmas suggestions for men and the period of the little tots is a dreamland by a message expressing the opinion of the administration on each of the dangers approached.

The Dove-Bost Co., sells Royster's candies in fancy loxes and in bulk. See Hoover's new ad. today for John Sprunt Hill was named as column ad, on page two today. Toyoners approached the administration on each of the dangers approached. gers suggested.

Old Grandma will be there and four unny little niggers, besides all the retty girls, in the Senior Colonial

received:	
Previously forwarded	\$290.13
P. Whit Poerr	
Cash	
Will Torrepre	1.00
W. R. Earnhardt	1.25
Miss Hattle Alexander	
Cush	2.06
Methodist Sunday School	
Pleasant	
Miss Meta Castor	
Mrs. D. B. Caster	
Logan Graded School	
H. E. Foil	
Cash	2.00
Logan graded School	
The Concord firemen s	everal days

WHOLESALE PRODUCE MARKET IN ASHEVILLE

Market Is Being Organized by Officials of the Farmers' Federation in Asheville, iBy the Associated Press.: Asheville, N. C., Dec. 13.—Arrange-

nents for the establishment of a wholesale produce market in Ashevule would not set ing an outlet for surp us products of

Bolin Hall, of Waynesville, will be in charge of the marketing; Clark, of Asheville, the books and records, and Joe Davis, of Waynesthat there would be no sympathy any-ville, the poultry and egg department where in the world for Turkey if the The produce market will open in Lexington street building about January 1, it was stated.

obile truck lines into all the adjacent territory will be operated from Asbeville by the federation, offi-clais said, and arrangements are being made to send all surplus pro-

Four warehouses of the company in Buncombe and Henderson counties will serve as headquarters for their respective sections, according to the

THE FUTURE SITE OF MEREDITH COLLEGE

Discussion Set For Special Order in Baptist State Convention Today,
(By the Associated Press.)
Winston-Salein, Hec. 13.—Much interest pervades the Baptist State Con-

venntion this morning in view of the fact that the discussion of the future site of Meredith Colege is set as a special order for non-roday. Advocates of the location of Greater Meredith College are ready for the dentite, white

ported approaching completion of the Baptist Hospital at Winston-Salem, the first Baptist hospital in North Carolina. Rev. G. T. Lumkin has been selected as superintendent. The

Discussion of the Thomasville Orphanage was one of the features this morning. The need of more room is

the call of the trustees. THE COTTON MARKET erday's Sharp Advance Follo

by Moderate Reactions. (By the Associated Press.) servants employed in the royal palaces of liquor abcard, was stopped here receives a present valued at about fif-teen dollars. In addition, there are eight hundred estate employes at the counsel for Coleman, and asked the opening today. There was no overnight change in comment on yesterday's government crop report, but Liv-

cember 25.05; January 25.05; March 25.20; May 25.31; July 24.97.

Governors to Confer. White Sulphur Springs, W. Va., Dec.

13.—Everything is in readiness for pany was confronted with the necess Va., have arrived in the city and will the fourteenth annual conference of sity of removing it, which would have act as award judges. A large attend-Governors, the sessions of which will been very expensive. So finally the ance marked the opening of the show begin here tomorrow and continue company changed it from a railroad through the remainder of the week. bridge to a highway bridge, and con-The deliberations will be participated sidered itself lucky in finding a group in by an unusually larbe number of of Maryland men who consented to ac-TO CONSOLIDATE WAR

AND NAVY DEPARTMENTS?

State executives, together with many cept the structure, and cost \$2,000,000, as a gift.

The recipients put up \$700 to organships in November, but who have not ships in November. The ize a company. Last year the net re-State executives, together with many cept the structure, which originally Into a Department of National Defense.—This is Recommended to President Harding.

Simps in Noyember, our was may be in the recipients but of \$100 to organize to be instructed into office. The ize a company. Last year the net re-the North Caro in a revenue collector's turns from the bridge were \$65,000. office here will issue warrants for all the most important as well as the The state will continue to collect delinquent persons, Gilliam Grissom. the most important as well as the The state will continue to collect delinquent persons, Gilliam largest of its kind that has been held. tolls until 1938, by which date it escollector,, announced today.

nd. today on last page.

of the Erwin Cotton Mills Compan, of The Citizens Bank and Trust Com- Durham from \$5,000,000 to \$10,000,000. ad, today on last page.

Nut Bread—"the better bread." See Manufacturing Company.

Nut Bread—"the better bread." See Manufacturing Company.

Complete line of tollet sets, mani
Cure and traveling sets at Cline's survey of the Yangtze River is short cure and traveling sets. A hydraulic by to be undertaken. A hydraulic phasmacy.

War Time Premier of France Leaves on the Steamship Paris, Decaring He Will Come Again.

WILSON BIDS HIM FAREWELL

The Aged Statesman Appear-Humor as He Took His Place on the Deck.

New York, Dec. 13 (By the Assointed Press).—His spenking mission ended, Georges Clemencoau, war-time this direction, for the purpose of help-premier of France, sailed for home on ing the allied navies to locate mines." the Steamship Paris today, declaring he explained to the Associated Press he would return again "but only as a today,

astated France last night, appeared in It is evident, however, that its widest took his place on the upper deck to merce." watch New York vanish behind him. and one to Otto Kahn, banker, in an- calls "wave echoes." was said, were typical of thousands vessel's wireless equipment. received at the last minute.

former President Wilson and Clemen- and these radiating in any direction ceau follow:

"Georges Clemencenu: "Allow me to bid you affectionate in the water. All good fortune attend you."
"WOODROW WILSON."

MOTOR VEHICLES PAYING MUCH TO STATE TREASURY EXCEPTIONAL COLD Auto Licenses and Gasoline Tax Bring

About \$3,000,000 Into State in Fiscal Year. Raleigh, N. C., Dec. 13 (By the As sociated Press).—With approximately 182,000 motor vehicles now registered North Carolina's revenue from this the fiscal year period July 1 to December 1, an increase of \$525,709.18 over the entire amount for 1921, according

made in the capacity of a coast guard officer, rendering assistance to a ship in distress," said Mr. Kohloss, "and was not in charge. The Mark The capacity of the rest of the capacity of the rest will oppose that location and motor vehicles drings the total collections to about \$3,000,000 which located as the capacity of the rest will oppose that location and motor vehicles drings the total collections to about \$3,000,000 which located as the capacity of the rest will oppose that location and motor vehicles drings the total collections to about \$3,000,000 which located as the capacity of the capacity of a coast grant will oppose that location and motor vehicles drings the total collections to about \$3,000,000 which located as the capacity of the capacity of the capacity of a coast grant will oppose that location and motor vehicles drings the total collections to about \$3,000,000 which located as the capacity of t ted to the general assembly, that the income from these sources will show a record increase for the fiscal year.

For the fiscal year ending Novemcy March 1st. The total cost including the equipment, will be approximately \$160,000. each succeeding year. The recorded number of cars jumped from 1686 in 1911 to 147,909 in 1921.

Automobiles Build Fortunes For Lucky

Marylanders. Baltimore, Dec. 12.—Twelve years sure you that one composed of teachago the Pennsylvania Rattroad gave away an old bridge over the Susquehanna River at Havre de Grace to private interests; the building of a new bridge had made it, apparently, valuebeen crossing the structure in increasing numbers, and the men who got the report, but Liv-ensy and the sold it to the state of Maryland for

collected from motor cars. When the new bridge made the old pany offered it first to the state and Pittsburgh. then to the county, but without success. If no one accepted it, the com-

Accepts Newspaper Position.
Albemarie, Bec, 11.—A. E. Houser of Shelby, an experienced newspaper reporter, has accepted a position with the Stanty News-Herald of this place and will assume the duties of this position at once.

Complete line of tollet sets, manipulation of the Yangtze River is short-pharmacy. In the Yangtze R You'll be sorry the rest of your life if you miss seeing "The Girls of 1776" in the auditorium at Mt. Pleasant Saturday night.

The first woman's rights journal was Myra Bradwell, of Chicago, in 1870.

The Concord Public Schools will close for Christmas holidays on Friday, December 15th, and A. S. WEBB, Superintendent. # No

FRENCH PROFESSOR MAKES POWERFUL MARINE DISCOVERY Announces the Invention of an Electric

Depth Finder.
Paris, Dec. 13.—Ships may proceed safely through fogs or shallow channels, lost vessels londed with trensur mny be discovered and floating mines ed in Fine Health and Good located by the electric depth finder, the invention of which has just been announced, according to Professor Lang evin, the inventor. Professor Lange-vin holds the chair of general and ex-France,

"However my work was The aged statesman who closed his pleted until after the war. My appaappennous tour with a short speech ratus has been successfully tried on an efore the American committee for dev- extensive scale by the French navy. fine health and rare good humor as he application must be on ships of com-

The apparatus is constructed on The Tiger's farewell message to wireless wave principle and objects ascertained the exact manner America was given in the form of two are found within a given radius by telegrams, one to Woodrow Wilson means of what Professor Jangevin The amaratus swer to farewell messages, which, it is small and may be attached to a

The messages exchanged between are given off," the inventor explained," and for any distance more than 15 feet, register any unusual obstacles the police are that romato feet, register any unusual obstacles the police are that romato feet, register any unusual obstacles the current girl after a quarrel, protably believing in the water. When the current she was about to kill him, or that the arewell and to congratulate you on strikes an obstacle it is interrupted the admiration you have won from our and sends back to the apparatus the signals which I describe as echoes. If it is desired, one may measure the depth of the sea for several miles."

WAVE IN ITALY

Five Persons Froze to Death in Rome Tuesday Night. (By the Associated Press.

Rome, Dec. 13-Italy is suffering from an exceptional cold wave. Five persons were frozen to death in Rome ource amounts to \$2,826,075,26, for last night and several similar cases are reported from other cities. Wolves, desperate from lack of food,

to an anonnement by the secretary of the plains, and are seen almost the gates of the capitol. have descended from the mountains to

> North Carolina. (By the Associated Press. Raleigh, N. C., Dec. 13 .- "It is very pleasant to talk to people who know thinking." Dr. Henry Van Dyke states in a letter received today by Jule B. Warren, secretary-treasurer of the

The letter expressed appreciation of transfers of motor vehicles reached Dr. Van Dyke's recent visit to Raleigh \$11,181. Large increases have been as the chief speaker during the teach-

ers' convention,
"I had a delightful time in Raleigh and liked the audience the teachers gave me there," he writes. "I know something about audiences and can as

ers is about the best in the world."

Poultry Show at Greensboro. Greensboro, N. C., Dec. 13.—With nore than 1,250 entries on display, the eighth annual official state poultry show of the North Carolina Poultry Association and the Central Poultry

Association opened here today. A. A. Ray has on exhibition in the market here opened at a decline of 1 \$585,000. And in the 12 years it was show room on East Sycamore street, a in their possession, they pocketed \$370, fine string of grand sweepstakes chamsouthern selling. show room on East Sycamore street, a pion Buff Orpingtons, which have won ribbons at America's largest poultry shows at Madison Square Garden, one of doubtful use, the railroad com- New York; the Chicago Coliseum, and

Jacob Eberly, of Dallastown, Pa., and Garnet T. Booker, of Blacksburg, sity of removing it, which would have not as award judges. A large attend-

Must Pay Federal Taxes at Once.

Raleigh, N. C., Dec. 13.-All notices for the last installment of federal income taxes due on December 15 have been mailed and on the day following,

New York, Dec. 13.—Hundreds of men and women gathered at the French line pier today to bid bon voyage to M. Clemencenu, who was among the passengers salling on the steamship Paris. On the eve of his departure the wamous French states-mun warmly expressed his gratitude for the kind reception with which he had met from the American people.

Only 50c and 85c to see the Se Colonial Play at Mt. Pleasant, much money but a lot of fun.

RICHMOND MYSTER

State Library ing There Monday of Mrs. Thelma Richardson.

WAS GIRL SHOT AFTER QUARREL?

Pollard and West to Be Given Hearing Tomorrow,-Latter Says He Did Not Know Object of Woman's Visit.

Richmond, Va., Dec. 13.—With definite motive established for killing of Mrs. Thelma Richard formerly of Atlanta, who was sho Thomas Pollard, real estate and insurance man, local police today

working on two theories which may

hey had falled to establish a motive, the authorities also said they ascertained the exact manner in which

The body of Mrs. Richardson, ac ompanied by her brother, Wm. Pie Ham, will be shipped from here today to her former home. Mrs. Richardson was formerly Miss Thelma Ham, a

resides in the Georgia city. The theories under consideration by stenographer during a struggle for possession of the pistol which the police say was her property.

Pollard, who is at liberty on bond of \$10,000, and J. Mosby West, who accompanied Mrs. Richardson to the Pollard home, Monday night, where the shooting took place, and who is now being held under a bond of \$500 as an accessory, will be given preliminary hearings tomorrow. Whitfield also has announced he would

conduct an inquest tomorrow.

West claims he did not know object of the woman's visit to Pollard's home. He said he remained in his automobile while Mrs. Richardson went He said he remained in his to the front door and that he did not see which person had the pistol when the shot rang out, nor was he aware Dr. Van Dyke Had a Great Time in there was any quarrel proceeding shooting.

ARMY AND NAVY BILL Reported Today by the House Appropriations Committee.

(By the Associated Press. Washington, Dec. 13.-A request that President Harding seek to broaden the scope of the naval limitation agreement so as to include a limitation of construction of smaller types of war vessels and on military and naval airraft, is included in the annual naval hill as reported today by the House appropriation committee.

Under the bill as brought into the House, the President would be asked to open negotiations with Great Britain, France, Italy and Japan for an building of all surface and submersible types of war craft having a ton-nage of 10,000 or less, and on all classes of army and navy aircraft.

Lee to Speak in Charlotte Tonight. (By the Associated Press.)

Charlotte, Dec. 13.—Raymond H. Lee, of the Richmond Chapter of the employee of the Federal Reserve Bank there, will be the principal speaker at a banquet here tonight at which it is planued to organize a Charlotte chapter of the organization. The institute which is sponsored by the American Bankers' Association, is designed to promote a better understanding of banking principles.

Keller Counsel Serves Notice.

By the Associated Press, Washington, Dec. 13.—Notice was served on the House judiciary comcounsel for Representative Keller, republican, Minuesota, in impeachment proceedings against Attorney General Daugherty, that would insist on his "rights" before the committee, even if he had to go to the House of Repre-

Two More Airplanes Crash.

(By the Associated Press.) El Paso, Dec. 13 .- Three of the five \$5000 annually, he said, and these will airplanes which left San Antonio on be used in checking this years' re- Tuesday morning to search for the nissing aviators, Col. Marshall Lieut. Webber, arriver here yesterday Christmas Sale at Fisher's.

Fisher's store will be open every crashed on their way here, it was an nounced today, at hendquarters of the



Notice

All Victory 43/4 per cent Bonds showing letters A, B, C. D. E. F. are called for payment by the Government December 15th, 1922. Interest will cease after that date.

We are prepared to cash them for our customers and friends without charge.