

JURY MAY GET CASE OF THOMAS DURING AFTERNOON SESSION

Last Speech by Counsel and Charge to Jury Featured the Sessions of Court During the Day.

HARTSELL MAKES LAST ARGUMENT

Interest in Case Continues and the Arguments Were Heard by Crowds That Packed Court Room.

Salisbury, Feb. 24.—Judge James L. Webb, presiding in Rowan County Superior Court at the trial of O. G. Thomas for the slaying of Arthur J. Allen, completed his charge to the jury at 1:15 o'clock this afternoon and gave the case to the consideration of the jury.

The members of the jury were taken to their dinner immediately after receiving the case, and will not begin their deliberations until after their dinner, about two o'clock.

Salisbury, Feb. 24.—Only the closing arguments for the State by Attorney L. T. Hartsell and the judge's charge to the jury remained to be discussed when court convened today for the jury took into its hands the case of O. G. Thomas, charged with the murder of Arthur J. Allen.

The inquiry into an alleged threat against the Rev. D. P. Grant, a witness, was postponed until this afternoon.

The last argument by counsel in the trial of O. G. "Red" Thomas delivered this morning by L. T. Hartsell, of this city, and the case expected to go to the jury this afternoon or tonight.

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 Wood, for the defense, and T. F. Hudson, for the state, spoke this morning. Their attorneys are yet to speak; two on each side. Stable Finn was the first speaker this afternoon. He will be followed by Solicitor Zeb L. Long, then Mr. Hartsell will close the argument for the defense, followed by the address by Attorney Hartsell for the state. Then comes Judge Webb's charge.

Striking 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 contention."

NEAR EAST CAMPAIGN STARTS HERE SUNDAY

What Will Cabarrus Do With Her Quota?—Noted Speaker to Be Heard in County.

Let everyone give. This is the slogan adopted for the Near East Relief campaign in Cabarrus County by Rev. J. Frank Armstrong, county chairman, and his committee of ministers who are aiding him. Cabarrus county's campaign for this great humanitarian cause will begin tomorrow and will continue throughout the week.

On the theory that Concord and Cabarrus county people are as generous as those of any other community, when an appeal of the extreme worthiness of the Near East Relief is presented to them, Mr. Armstrong has refrained from putting on an intensive house-to-house campaign, but instead has put the question this year on the hearts of the people.

To show what a strong pull the cause of the Near East Relief has on the heart-strings and purse-strings of those who know of it and its work, already nearly \$300 has been sent in from Cabarrus county since July 1st, to the state office in Raleigh, entirely unsolicited. This will provide for 5 children for a year.

Cabarrus county is asked to feed and clothe 54 orphans of Armenian war heroes and Christian martyrs this year, as its quota of North Carolina's 3,334 "wards" now in the three Tar Heel orphanages in the stricken Bible lands.

All who can afford to do so are asked to "adopt" one of these children by signing a pledge card to pay \$5 a month for the support of a child for a year—or by paying the entire \$60 at once. A contribution of \$5 keeps a child alive for one month, one dollar for six days and seventeen cents for one day. Contributions should be sent to Mr. Armstrong or to any other minister.

What Will Cabarrus Do? Tomorrow is Near East Relief Day in the Sunday Schools and Churches of Cabarrus County.

There is one question we must answer. It is this: "Will we continue for one more year the support of the five-four children who are now in American orphanages at Trebizond, and who because of the generosity of Cabarrus people have enjoyed protection from the Turk and have been trained in all that goes to make a useful Christian citizen or will we fail to support them and see them turned out to wander and shiver and die?" If we excuse ourselves on any pretext whatsoever the faces of these helpless orphan children will meet us in the judgment. Cabarrus will not fail!

J. FRANK ARMSTRONG, Chairman.

TWO MORE MEN ARE KILLED IN ACCIDENT

J. F. Ray and Bun Tolar Received Fatal Injuries; When Train Hit Their Auto.

Rocky Mount, N. C., Feb. 24.—J. F. Ray, of Fayetteville and Bun Tolar, of Renner, received fatal injuries at Renner this morning when the automobile in which they were riding was struck by a southbound Atlantic Coast Line passenger train at a grade crossing. It was reported to officials of the railroad here that Mr. Tolar was killed outright, while Mr. Ray died within a few moments after being reached by members of the train crew.

Mr. Ray was employed as telegraph operator at Renner, while Mr. Tolar was the father of W. J. Tolar, who is also in the railroad employ at the same station.

BIG RAILROAD MERGER MAY NOT BE COMPLETED

Minority Stockholders May Stop the Merger by Asking Too Much For Stock.

Cleveland, Ohio, Feb. 24.—Plans to merge the New York, Chicago, & St. Louis (Nickel Plate), the Toledo St. Louis & Western (Clove Leaf), Lake Erie & Western, and two small railroads controlled by the Van Swearingen interests may be blocked by efforts of some minority stockholders to secure "top notch" prices for their stocks through the courts, it developed here today.

GERMAN GOLD MARKS SEIZED BY FRENCH

French Boarded Train and Seized Marks, Being Sent to Bank.

Berlin, Feb. 24.—(By The Associated Press).—French forces have boarded the Berlin-Cologne express near Hengsley and confiscated a consignment of 12,000,000,000 marks and plates belonging to the Reich's bank fund, it was announced today.

Hengsley is 30 miles northeast of Düsseldorf and 7 miles south of Dortmund on the edge of the Ruhr occupied area.

AIREDALE WALKS HOME COVERING 700 MILES

Terrier Returns to Denver on Foot From St. Joseph, Mo.

Denver, Feb. 23.—An Airedale terrier shipped from here by its owner, Frank Farrow, three weeks ago to St. Joseph, Mo., limped back to the Farrow home today, having walked the entire 700 miles from the Missouri city. The owner of the dog in St. Joseph, to whom it was sold by Farrow, reported that it disappeared a week ago.



NOTED ENTERTAINER HEARD HERE FRIDAY

Jules Brazil Delights Audience at Central School—Brought Here by the Local Kiwanis Club.

Jules Brazil, of Toronto, Canada, thoroughly entertained his hearers last evening at the Central School auditorium, where he appeared under the auspices of the Kiwanis Club of Concord and their guests.

The impersonations, and songs and stunts put on by this entertainer from Canada were very entertaining and amusing indeed, and the audience received his offerings with lavish applause for almost two hours. The quickness of Brazil and his seeming acquaintance with the people of Concord in the few hours he had spent in the city kept his audience guessing.

Brazil arrived in Concord on Friday afternoon and was the guest of the local Kiwanis Club at its regular week. He luncheon at the Y. M. C. A. before his entertainment, where the members were given an opportunity of becoming personally acquainted with him. Many of the persons in the audience at the auditorium whom he called by name were not at the luncheon, and had never seen the entertainer before.

To attempt to give a description of the various musical selections, impersonations and stunts given by Jules or to say which was the best feature of his show would hardly be possible. Concord has not heard an entertainer of this class, and in fact the reputation of the man is international. Those who heard him were given a treat which they will not soon forget.

The regular meeting of the Kiwanis Club was shortened and no program was put on by team No. 4, Brevard Harris, captain, which had charge of the program of the evening. Only one matter of importance was brought before the club—that of the proposed railway to the northwestern counties of the state. This was brought to the attention of the club, which voted unanimously to endorse the present bill in the General Assembly, and instructed the secretary to wire Senator Frank Armfield at Raleigh to give his influence in support of the measure.

The attendance prize, given by Brevard Harris, was drawn by Campbell Clark.

PRESIDENT PREPARING MESSAGE FOR CONGRESS

Chief Executive Describes Message as an "Important Communication."

Washington, Feb. 24.—President Harding was engaged today in writing what was described as an "important communication" to Congress. White House officials declined to indicate the subject and beyond saying it would be forwarded late today, all information was withheld.

UNDERWOOD MAY RUN FOR PRESIDENT

(By The Associated Press). Washington, Feb. 24.—Senator Oscar W. Underwood, of Alabama, democratic floor leader in the Senate, may again be a candidate for the Democratic Presidential nomination. He has informed friends that after his return from Europe he will give "every careful and thorough consideration" to any suggestions to enter the race for the 1924 nomination of his party.

SIX MASKED BANDITS GET LOOT OF \$10,000

Bind and Gag Petersburg Watchman and Get Funds He Was Guarding.

Petersburg, Va., Feb. 24.—Six masked bandits forced an entrance into the Seward Trust and Bag Factory here early today, bound and gagged the watchman, broke open the vault and escaped with \$10,000. The money was in small envelopes, ready to be paid to the employees at the factory. The robbers, officials believe, entered the building by using a key to a side door.

The watchman declared he succeeded in freeing himself about 3 o'clock when he called the police. He said the building was too dark for him to get an accurate description of the bandits.

FIND SON SLEEPING IN BED WITH DEAD FATHER

Latter Had Been Lifeless Several Days, Auto Discloses.

Medford, Mass., Feb. 23.—John Daley, a blacksmith, whose body was found in his home here today, died of cerebral hemorrhage probably last Sunday Medical Examiner Thomas M. Durrell said tonight after an autopsy. Daley was found by one of his sons, who called at the house. In bed with the father was another son, who said he had been sleeping there since Sunday night.

John Daley, Jr., who was held by the police for not reporting his father's death, was released after the result of the autopsy was made known. It was said that he would be examined by a physician. He was released from an institution at Taunton last Friday and returned to live with his father here.

JURY GIVES WOMAN \$20,000 FOR KISS

Miss Mathilde Benhardt Sues Dr. Justin Mitchell For \$25,000, Charging He Kissed Her.

Chicago, Feb. 24.—Miss Mathilde Benhardt, formerly a student nurse, was awarded \$20,000 for a kiss in a wedded veil rendered in court last night and opened this morning. This is \$5,000 short of the amount asked by Miss Benhardt against Dr. Justin L. Mitchell, staff physician in the hospital in which she was a nurse. She claimed she was charged from the hospital after she had accused the physician of kissing her.

ANOTHER ARRESTED IN HARSELL MYSTERY

Fons Buchanan, of Johnson City, Tenn., Held for Alleged Murder of Blaize L. Harsell, of New York.

Chattanooga, Tenn., Feb. 24.—New clues brought to light regarding the disappearance of Blaize L. Harsell, New York club man, writer and naturalist nearly two years ago, have led to the arrest of Fons Buchanan, of Johnson City, Tenn., and he will be taken to Mitchell County, N. C., to face a charge of murder, according to special dispatches from Bristol, Tenn.

Harsell came from New York to Roanoke, Va., two years ago and a few days later started on a hike through the mountains to get himself in condition for a proposed trip to South America the following summer. Failing to arrive at his intended destination, detectives began searching for him and traced him to Mitchell County, N. C., where all trace of him was lost.

As a result of the investigation, John Rainwater, a noted character of the mountain regions was arrested and tried for the murder of Harsell. He was acquitted and since then detectives have been conducting a quiet search resulting in the arrest of Buchanan, an intimate friend of Rainwater. Officers declined to divulge the nature of the evidence discovered.

SEVERAL ARRESTS MADE

Bakersville, N. C., Feb. 24.—Grady Buchanan, is in jail here, Fons Buchanan is being held at Jonesboro, Tenn., while requisition papers for his removal to this place are being sought, and warrants are issued for Green Buchanan, Joe Buchanan, and Bill Rainwater, all charged with implication in the alleged murder of B. L. Harsell, wealthy New York club man, who disappeared in the Pigeon Roost Creek section just inside the Tennessee border during March 1921.

FRENCH HAVE SHOT 9 GERMANS SO FAR

Essen, Feb. 23.—Nine Germans have been shot dead, including one child, and 13 seriously wounded by the military forces of occupation since they entered the Ruhr early in January, according to figures compiled by the German authorities here.

Two hundred and seventy persons whose names are known to have been arrested, 67 arrested and then deported; 395 deported immediately without other formality and 16 officials removed from office, according to this statement.

More than 100 other persons whose names are unknown have been reported arrested, it is added.

DOPE LEGISLATION BEFORE CONGRESS

Secretary of State Hughes Offers Aid.—Fraternal Orders Asked to Appear.

Washington, Feb. 24 Capital News Service)—The anti-dope legislation sought by Chairman F. House Foreign Affairs will, it is hoped, be made law prior to the expiration of this session of Congress. The bill proposes that the President shall call upon foreign governments to limit production of narcotic raw materials to the needs of medicine and science.

Hearings are being held on the proposed bill, to which representatives of the fraternal and other organizations which have endorsed the fight against the "dope" menace have been invited. These organizations include the Shriner, Elks, Moose, Mystical Order of the Veiled Prophets, and the Salvation Army.

A number of other organizations have requested copies of the Porter resolution and indicated that they contemplate joining in the drive. Secretary of State Hughes has offered his aid in the fight against the narcotic evil. In a letter to Chairman Porter, he said in part:

"I can assure you of my deep interest in the work of narcotics control, and of my willingness to forward in any way that I can the expressed views of the Congress on this important subject. I believe that the prompt passage of the proposed resolution will be an important aid in securing the result."

If the commercial production of the raw plants from which opium products and cocaine are obtained can be minimized, the question of narcotics control will be greatly simplified. I shall be glad to place before your committee such information in regard to the narcotics control question as is at my disposal."

BRIDGE AT HAW RIVER COLLAPSES; 7 INJURED

Men Had Just Finished Pouring Concrete on One Span When It Went Down.

Burlington, Feb. 23.—Reports reaching here about 4 o'clock this afternoon told of the collapse at 3:30 o'clock of one span of the New Haw river bridge that has been under construction for the past several months. Seven men are reported to have gone down with the portion of the new bridge that fell to the water beneath, a distance of about 15 feet. They were rushed to Rainey hospital here, where they are receiving treatment. It could not be learned definitely whether the men were seriously or fatally injured, but it is believed that part of them are seriously injured.

According to the reports received here at the time, the concrete for the fourth span of the new bridge, on the north side of the bridge, had just been poured. Seven men were reported to have been taken from the debris, fallen concrete and twisted reinforced steel. The men were on the top, or floor, of the bridge when it fell, and were on the top when it landed on the water beneath, thus escaping being killed by not being underneath the massive structure.

LITTLE WORK DONE IN STATE ASSEMBLY TODAY

Senate Adjourns to Meet Again Monday Night—Some Business Transacted.

Raleigh, Feb. 24.—(By The Associated Press).—Appointment of a calendar committee, continuation of the committee investigating management of the state sanatorium for the treatment of tuberculosis past the adjournment of the General Assembly by concurrence, and the joint resolution already approved by the House, postponement of the Giles farm loan bill, and the passage of numerous local roll call bills preceded adjournment of the Senate over the week-end today.

Despite suggestions from members that the Senate should meet Monday morning on account of the near approach of the constitutional expiration of the term, the body will not meet until Monday night.

THE COTTON MARKET Opened at Advances of 3 to 7 Points On Old Crop Movement.

New York, Feb. 24.—The cotton market was rather irregular during today's early trading. In addition to realizing for over the week-end, there was scattered Southern hedge selling and probably some local selling for a reaction. The market opened steady at advances of 3 to 7 points on old crop months, but new crop deliveries were 4 to 15 points lower, and the near positions eased off to about a shade under yesterday's closing quotation during early trading.

NEW CHARTERS GRANTED

Raleigh, N. C., Feb. 23.—The secretary of state has granted the following charters:

The Independence Guaranty company, Charlotte, to conduct a general loan, insurance and real estate business; capital stock \$200,000; paid in \$25,000; A. J. Hagood, W. A. Watson and E. E. Jones, all of Charlotte, principal incorporators.

Nichols Mercantile Company, White Plains, to conduct a general mercantile business; capital stock \$25,000; G. S. Nichols, Jessie Nichols and C. M. Nichols, incorporators.

FARM CREDITS BILL DODDGRAM HAS BEEN FINALLY ADOPTED

Measure is Composite Bill Embracing Features Carried in the Several Bills Presented to Congress.

SHIPPING BILL SEEMS DEFEATED

Vote Will Be Taken Under Agreement, But Proponents of Measure Have No Hope of Its Passage.

(By The Associated Press). Washington, Feb. 24.—A composite farm credits bill embracing the principal features of the Lenroot-Anderson, Capper and Strong measures, was completed today by the House Banking Committee. Chairman McFadden said it would be formally reported to the House Monday, and taken up for passage probably Tuesday.

The measure, Chairman McFadden said, would set up a \$80,000,000 intermediate credit organization as an adjunct to the Federal Farm Loan banking system, but with its assets entirely independent of the parent body. Papers of the intermediate credit system would be eligible for readjustment at Federal Reserve Banks.

The chairman said a bill had been worked out which he believed would pass the House with little opposition. A committee will meet again to harmonize the remaining differences so as to present if possible a unanimous report to the House.

Vote on Shipping Bill

Washington, Feb. 24.—Final disposal of the administration shipping bill, general conceded to be dead, by a vote either late today or Monday, was agreed upon today by republican and democratic leaders in the Senate. Proponents as well as opponents of the measure which has been blocked for 5 days by a filibuster, agreed that the pending motion to take up the bill on which the final test will come will be defeated. Senator Jones, republican of Washington, who has been in charge of the measure, said he proposed to continue his effort in its behalf.

No Decision on McNary

Washington, Feb. 24.—The Senate Banking Committee failed today in an attempt to reach a decision on the contested nomination of James G. McNary, of New Mexico, to be controller of currency. Another meeting will be held some time next week, though with only a week remaining before the adjournment of Congress, the chances for action on the nomination were regarded as decreasing.

Shipping Bill Up Again

Washington, Feb. 24.—The administration shipping bill again was brought before the Senate, today preparatory to the dealing of a death blow to it on Monday.

SIX MEN INJURED AS NEW BRIDGE COLLAPSES

Report From Hospital in Burlington States That All of the Injured Men Will Recover.

Greensboro, Feb. 24.—The six men injured when the fourth span of the highway bridge under construction across Haw-River, collapsed at Haw-River yesterday afternoon, will recover, according to a report to the Daily Record, here this morning.

T. A. Harris, of New London, inspector of the State Highway Commission, who, it was thought had been fatally injured, when the bridge collapsed, is resting well this morning, Burlington hospital officials stated as were also the five other men. Although seriously injured, the belief is expressed that Mr. Harris will recover.

"WIDOW" WITHDRAWS ACTION FOR DAMAGES

Finds Man Who Was Killed in Accident Was Not Her Husband.

Maui, Okla., Feb. 23.—After suing for \$20,000 damages for the death of her husband in a lead and mine accident at Cardin, February 6, Mrs. Nellie Smith, of Schater, today found she was mistaken in the identity of the man who was killed.

She was notified that the victim was known on the payroll as J. Harris, and that papers found in his possession indicated he was John Smith, aka Smith, thinking the dead man her husband, immediately brought suit against the mining company.

When she went to view the body yesterday, however, it developed that she did not know the man. She said she would withdraw the suit.

Commission Wants More Money (By The Associated Press).

ASSOCIATED PRESS DISPATCHES

Washington, Feb. 24.—Members of the coal commission have informed the Congressional appropriations committee that unless Congress finds it possible to grant the \$400,000 special appropriation which the commission has sought for carrying on its work of fact finding in the coal industry, its activities will cease on March 4th.

Daily owns the bonded stretch of disincorporated railway in Illinois, according to a statement of the company.