

Judge Denies Motion To Quash Indictment

Judge Raulston's Decision at Dayton Upholds Constitutionality of Tennessee Anti-Evolution Law.

FOURTH DAY OF THE SCOPES TRIAL

Judge Raulston Spent Most of Tuesday Writing His Decision, Which Was Very Lengthy.

(By the Associated Press) Dayton, July 15.—Judge John T. Raulston today denied the motion to quash the indictment against John T. Scopes. The judge's decision upheld the constitutionality of the Tennessee anti-evolution law.

The motion to quash was made Monday and most of the day was spent in arguments on its merits. Judge Raulston spent most of yesterday in writing his decision, which was very lengthy.

The decision took up each contention of the defense and ruled that the defendant would be required to plead further.

Before reading the decision on the defense motion to quash Judge Raulston commented to pose for photos with the decision in his hand.

Dayton, Tenn., July 15.—The Rev. Chas. Francis Potter, pastor of the West Side Unitarian Church, of New York, opened the Scopes evolution trial today with prayer.

Mr. Potter was called to the platform by the court after President Strubbing, of the Dayton pastor's association, had announced his name as a visiting minister as the choice of the association.

Judge Raulston announced yesterday that he would ask the Dayton Pastors' Association to nominate the minister to make the opening prayer each day. This followed a protest from the defense at the custom of having daily prayer.

Just after the brief prayer John R. Neal, of the defense counsel, gained the floor to make his attitude clear on the question of prayer in the court.

He objected to any religious atmosphere in the court room during the trial of the case.

S. K. Hicks, of the State counsel, announced that the State denies that there is a religious controversy in the case and objected on behalf of the prosecution to "this heckling" every morning on the subject of prayer and asked that the court stop the daily protest and place it in the record.

Judge Raulston said he had no regard for denominational lines in selecting ministers for the morning prayer. He hoped that the prayer would "do some good." They will not hurt anyone and may help.

Clarence Darrow noted an exception to the remark of the court.

Attorney General Stewart stated that he made a remark in court yesterday which he desired to withdraw. He expressed himself in a discourteous manner to Mr. Hayes, of the defense, he said.

"I feel very much ashamed that I have not been courteous to Mr. Hayes, and there was nothing back of it but ruffled temper," he said.

Mr. Hayes replied that he happily accepted the apology of the Attorney General and asked that the State attorneys avoid reference to the States from which the defense attorneys come, and also economic, religious, and political beliefs.

Judge Raulston asked the Attorney General then to remove from the record a "sneering" remark alleged to have been made toward the defense counsel.

The crowded court room listened intently today while Judge Raulston read his decision on the defense motion to quash the indictment against the Dayton high school instructor.

The court read his ruling in a quiet voice. The document was long and the judge conveyed his vocal strength.

Quiet was in contrast to vigorous tones of clashing attorneys a few moments earlier.

Mr. Bryan wore a collar today. The defendant frowned as he listened to the reading of Dudley Field Malone and W. O. Thompson, of his counsel.

Policemen kept warning the crowd at the door.

Dudley Field Malone Ape'd by An Ape. Dayton, July 15.—The story is told in Dayton today of how Dudley Field Malone was ape'd by an ape.

One of the animals brought to Dayton by publicity seekers was carried to "the mansion" last night for a visit with the proposed scientific witnesses for the defense who are making the house their headquarters while here, the story said.

Interested with the animal, the scientists are said to have placed it in Malone's chair at the table around which they were grouped.

While discussing the ape and subjecting it to various tests Malone entered the room.

The conclusion of the story was that Malone, thinking the ape, called an ape and sent the ape and its owner back to town.

The State Board of Equalization is composed of the Commissioner of Revenue, chairman; the chairman of the Corporation Commission; and the Attorney General. The duty of this board is to hear and determine appeals from valuation of property by assessing officers in the several counties and to order county board of equalization to raise or lower assessments if they may be relatively just and uniform. The board meets at the call of the Commissioner of Revenue, who is R. A. Donahoe.

Cyclone



A baby cyclone swept down on Cincinnati and flattened out a good share of the buildings in the Union Stockyards with thousands of dollars' damage. This shows a small segment of the devastated area.

THE CROP REPORT

Unusual Hot Weather Furnished an Ideal Condition for Cotton.

(By the Associated Press) Raleigh, N. C., July 15.—Unusually hot and dry weather, it was pointed out in the North Carolina crop report for June, issued today, furnished an ideal condition for cotton, but most other crops have suffered for lack of moisture.

The northeastern counties, said the report, have had sufficient rain and in many instances too much, with considerable hail damage in several sections.

The report, issued by the North Carolina and United States Departments of Agriculture, jointly, said:

"With a condition of 80 per cent of normal and 53,000 acres in cultivation, the prospects for the Irish potato crop are 4,920,000 bushels. This production is only 74.5 per cent of the crop produced last year. This is due, in part, to the condition of 84 per cent, and to a considerably smaller yield than was produced last year.

"The national potato acreage was reduced 5.7 per cent, last year and with a condition of 84.1 per cent, normal, will produce 350,000,000 bushels or a crop 23 per cent, less than last year's. The acreage is the lowest since 1907. Drought at planting time contributed to this reduction.

"North Carolina sweet potato acreage increased 2 per cent, this year. With a 2 per cent, increase in acreage, the present condition of 77.2 per cent, estimates a 10,300,000 bushel production. This crop is 3.4 per cent, less than the average crop for the past five years and is about 10 per cent, more than was produced last year. Because of the open weather during the season, good cultivation has been facilitated and the plants were enabled to utilize all the fertilizer applied, and the growth was unusually good.

"The national sweet potato acreage was increased 8 per cent, over last year's condition of 77.2 per cent, was 9 per cent, less than the past 10-year average and forecasts a crop of 87,000,000 bushels.

"Conditions in the mountain counties have been unusually poor for hay this year, due to extremely dry conditions, and counties lying in the Western Piedmont territory will show low yields also. Tame hay crops were reported as 74 per cent, of normal, meadow hays 83 per cent, clovers 93 per cent, alfalfa and pasture land 70. The average condition of these crops is very low.

"Soy beans show a 15 per cent, increase in acreage over last year and a condition of 90 per cent. The increase in acreage has been steady for the last few years, although last year's acreage was short, due to unfavorable weather conditions. The weather has been unusually favorable in eastern counties this year.

"Cowpeas—Due to the high price and scarcity of seed, the cowpea acreage in North Carolina was reduced 15 per cent, from last year's acreage. For several practical reasons cowpeas are losing favor with the farmers of North Carolina, and the 78 per cent, condition at present may tend toward further discouragement."

Spillway at Lake Waccamaw. Wilmington, July 15.—Work on the spillway at Lake Waccamaw is underway report motorists returning from that section. The spillway is being built of North Carolina long leaf pine pilings. The work is being done by the county and state, jointly, with the federal government also taking part. The object of the spillway will be to increase the depth of the lake, which is the property of the state.

The law governing the appointment of the State Board of Charities and Public Welfare by the Governor, subject to confirmation by the Senate, provides that one member shall be a woman. The Board serves for expenses only.

The first modern building for housing State departments other than those located in the capitol was built in 1911 and ready for occupancy in 1913.

Screens are nice, but they keep you from kicking the cat out of the window when you are mad.

Concord Theatre (THE COOL SPOT) TODAY AND THURSDAY BETTY COMPTON in "Ramshackle House" Her Latest Success EXTRA "TELL IT TO A POLICE MAN" A Pathe Comedy GOOD MUSIC—SAME PRICES COMFORTABLE THEATRE

CHRISTIAN CHURCHES OF THE WORLD TO MEET

Great Meeting to Be Held at Stockholm Next Month.

Stockholm, July 15.—All the Christian churches of the world are to meet together in Stockholm next month for a conference on "Life and Work." Altogether there will be some 2,000 delegates in attendance, including many from the United States and from all parts of the British Empire.

Every European country, with the exception of Albania, will be represented, as well as most Eastern countries. Eight delegates are being sent from the Ecumenical Patriarchate of Constantinople; sixteen are coming from the church in Greece; the Patriarchate of Alexandria and the Coptic Church are sending representatives, and the church in Jerusalem is also expected to be represented. Those in charge of the arrangements for the gathering confidently predict that it will be the most representative Christian conference ever held.

For five years commissions in England, America, Germany, France, Poland, Greece, Roumania, Czechoslovakia, Scandinavia, and various other countries have been working on the problems which are to be brought before the coming conference for consideration and action. These problems are:

The church's obligation, in view of God's purpose for the world.

The church and economic and industrial problems.

The church and social and moral problems.

The church and international relations.

The church and Christian education.

Methods of co-operative and federative efforts by the Christian communities.

The reports of the commissions will be considered in private in Stockholm a week before the conference begins its general sessions. The common finding will then be discussed at the conference.

So important is the conference considered in Sweden that the King has issued a proclamation, in which he says:

"With the object that the Spirit of Christ should reign more fully in the hearts of men and in the lives of peoples, chosen representatives from the greatest part of Christendom will gather in Stockholm, after profound preparations during several years, for the Universal Christian Conference on Life and Work, in August, 1925, if so be God's will. The Lord make His face to shine upon the meeting so that the way may be discerned to which the way strengthened with one accord to walk in the way of love. May the church and congregation of Christ in our land help in the undertaking with faithful prayer.

"The thoughts and efforts of men are powerless. But God's strength is made perfect in weakness?"

DEFINES TRUE CHRISTIANITY

Dr. Weatherford Talks of "The Right Relationship of All Persons to God and Man."

Lake Junaluska, July 15.—"The greatest need of young people is to have Christianity put in simpler terminology and re-interpreted in such terms that they may see its application to everyday life," Dr. W. D. Weatherford told members of the young people's camp conference here. He defined true Christianity as "the right relationship to all persons, God and man."

Dr. Weatherford told of some of the "misapprehensions" that he said existed in the minds of some people concerning the religious life. "One of these misapprehensions," he said, "is the belief that one must give intellectual assent to certain creeds; another is that in order to be a Christian it is only necessary to jop off bad habits and put on a few good habits, while others are of the opinion that the beginning of the Christian life is to be found in some great ecstatic motion.

"You do not have to accept a full theological system," he said, "before you can make a start on the Christian life. It is important to know the truth, but few people have settled all of the great questions.

"And there is more to the gospel than the gospel of good turn. To be a Christian is not simply to go to church, read the Bible, say your prayers.

"All these things," he proceeded, "have a big place, but simply to follow a certain routine will not make one a Christian.

"I have seen men pray on their knees on Sunday and prey on their neighbors on Monday, but they were not Christians.

"As to emotions—emotion is a normal part of life that enters into all relationships and when we find out what the Jesus life is there will come a reaction of joy and peace and happiness.

"Denying the religious life as the normal life, the speaker declared that not knowledge about Christ, but knowing Him at first hand would result in the relationship to God and man that would be revealed in Christ and help in fulfilling His will. Jesus set a high moral standard, he said, not by laying down elaborate codes but in love and sacrifice for humanity.

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LIKE FATHER, LIKE SON Bryan Senior and Bryan Junior Join in Prosecution of Scopes



Here are two members of the Bryan family who are fighting to uphold Tennessee's law that bars the teaching of evolution. At the left is William Jennings Bryan himself, and beside him is his son, William Jennings Bryan, Jr., a Los Angeles lawyer, who hurried to Dayton to aid his father in prosecution of John T. Scopes.

THE VAN SWEARINGENS DENY THE STATEMENT

That Their Status as Interlocking Directors of Several Railroads Is Unlawful.

(By the Associated Press) Washington, July 15.—J. P. and M. J. VanSwearingen denied in statements filed with the Interstate Commerce Commission today that their status as interlocking directors of the Nickel Plate, Chesapeake & Ohio and Hocking Valley railroads was unlawful.

The charge was made by minority stockholders of the Chesapeake & Ohio Railroad, who are fighting the Van Swearingen Nickel Plate consolidation plan. In addition to a general denial the Van Swearingens declared the minority representatives had no real interest in the affairs of the Chesapeake & Ohio which would entitle them to ask the commission for aid. The answer was supplemented to a previous statement filed in behalf of the other Nickel Plate railroad directors who also serve on the Chesapeake & Ohio railway board.

With Our Advertisers. W. J. Hethcox will be glad at any time to estimate on any electrical work. Cabinets worth \$20.00 for only \$46.00 at the Concord Furniture Co. Sale closes Saturday night. All other furniture at from one-fourth to one-half off. Better get your furniture now while you can save big money on it. Gibson stringed instruments are easy to learn. At Kidd-Frix Music and Stationery Co. "Pay cash as you go"—See new ad. of the J. C. Penney Co.

Betty Compton in "Ramshackle House" at the Concord Theatre today and tomorrow. Also "Tell It to a Policeman," a Pathe comedy.

Urges Attention to Rural Problems. (By the Associated Press) Lake Junaluska, July 15.—Urging that his denomination meet and grapple with rural problems and seek to aid in their solution, the Rev. W. A. Newell, of Winston-Salem, presiding elder, addressed the social service conference of the Methodist Episcopal Church, South, held here. He pointed out the need for social service in rural districts.

"The Methodist church can make poverty and own the South, if it makes up its mind to throw its strength to correct some of the conditions that exist in country sections and lead the people to justice," plans for working out their own salvation," declared Dr. Newell. He declared that "that is more poverty, heartache, cruelty, illegitimacy, ignorance and other undesirable elements in the country than anywhere else, but the movement to remedy these things must come in a Christian way."

Leaps to Locomotive As It Hits Motor. Syracuse, N. Y., July 15.—Monday, the thirteenth, was a lucky day for Gerald Larrabee, Syracuse motorist, when his automobile was struck by a New York Central Railroad train passing through the center of this city.

Larrabee drove his coupe from a side street in front of the train and saw he could not escape being struck, so he opened the door of the car, took a flying leap and rode on the pilot of the engine for several hundred feet, watching his automobile ground to wreckage before the train could be stopped.

Medical examination showed Larrabee to be bruised only slightly.

Melville Stone Visits President and Mrs. Coolidge. (By the Associated Press) Swampsport, Mass., July 15.—Melville E. Stone, counselor of the Associated Press, arrived today at White Court to be a house guest of President and Mrs. Coolidge.

The pure food law passed by the general assembly of 1890, amended in 1905 and re-drafted and passed as a new act in 1907, forbids the manufacture or sale of adulterated food or beverages, and charges the department of agriculture with its enforcement.

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WHAT SATS BEAR SAYS



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AMERICA'S POLICY OF ISOLATION REBUKED

Bishop Cannon Addresses Social Service Conference at Lake Junaluska.

(By the Associated Press) Lake Junaluska, July 14.—America's "policy of isolation" was sternly rebuked by Bishop James Cannon, Jr., of the Methodist Episcopal Church, South, addressing the social service conference in session here. His subject was "The Obligation of America to the Rest of the World."

Bishop Cannon spoke in detail of America's attitude in regard to the League of Nations, the World Court, the Protocol, and said that, in his opinion, the treaty of Lorraine "is the blackest spot in 20th century history when America failed to back statesmen of Christian nations and they refused to intervene with Turkey on behalf of the Armenians.

"The whole world is wondering," said Bishop Cannon, "what they can count on from America in the future, because America is a nation which appears to have been endowed with greatest power and strength and wealth of any nation in the world. Christians should consider what is God's plan for such a country."

In this connection he presented the following questions:

"Are we going to shirk our duty, or are we going to claim our leadership, in view of the fact that America was founded on Christian principles with a historic background?"

"How can a world order be built in which all nations and races may find it easy to live together as brothers and children of God? What is the future of the nations; are the present national groups to be maintained or shall they be merged into a wider system?"

"Does patriotism mean repugnance to other nations or can it be combined with a desire to serve? Is it not a Christian duty for a nation to consider the effect of its legislation on other nations?"

"How far is a nation responsible for the relief of ignorance, for spiritual need? What should be the attitude of a Christian nation toward profiting by selling implements of war to a belligerent nation?"

"Has a highly developed country the right to govern a less highly developed country? What is the duty and obligation of the church as a body in international affairs? How can the church build up a conception of internationalism?"

Bishop Cannon said these were questions which should be considered by the peace conference in Washington, in December, at which 15 nations would be represented.

WADE ADDRESSES FIREMEN

Urges Them to Take Greater Interest in Civic Affairs.

(By the Associated Press) Asheville, July 15.—The firemen of the state were urged to take a greater interest in civic affairs of the community by Stacy W. Wade, state insurance commissioner, in an address this morning before the North Carolina Firemen's Association in session here.

Mr. Wade's address was the principal event on the program of the convention which has been in session since Tuesday morning and will complete its business deliberations this afternoon with the election of officers for the ensuing year.

Thursday will be devoted to special contests in which firemen participate. These contests will be in reel work 100-yard dash, water chemical grab and a hand reel demonstration. Prizes will be given to the winners.

NEW MINISTER TO CHINA PRESENTS CREDENTIALS

Is Conveyed to the Executive Mansion in Ceremonial Coach.

(By the Associated Press) Peking, July 15.—The new American minister to China, John A. McCurry, today presented his credentials to the president. The minister was conveyed to the executive mansion in the ceremonial coach built for the late President Yuan Shi Kai, with uniformed outriders as a military guard.

The American minister made to President Tuan Chi Kai a formal statement of the policy of the United States regarding China.

WHIPPED AT POST FOR WIFE BEATING

Ten Lashes Applied by Sheriff by Regulation Black Snake Whip.

(By the Associated Press) Frederick, Md., July 15.—Robert Shroyer, 28 years old, convicted of wife beating, today was whipped at the post by Sheriff Ingomar Albough, of Frederick county. Ten lashes were applied with a regulation black snake whip under a sentence imposed Monday by Magistrate Guy K. Motter. Shroyer shook heads with the sheriff when the sentence had been carried out.

Col. Coolidge Recovers From Recent Illness.

(By the Associated Press) Swampsport, July 15.—John C. Coolidge, aged father of the President, has made such complete recovery from a recent illness and operation that Dr. James F. Coupal, White House physician, found it possible to return to duty here.

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SECOND TRUE BILL AGAINST WYATT IS QUASHED BY JUDGE

Bill Returned by Wake County Grand Jury Thrown Out Because Wrong Man Was Sitting on the Jury.

PRESENT ANOTHER BILL TO JURORS Case Not Expected to Come Up at This Term of Court Because of Delays That Have Come Up So Far.

(By the Associated Press) Raleigh, July 15.—The bill of indictment returned yesterday against Jesse Wyatt, suspended Raleigh policeman, charging him with the murder of H. S. Holt, attorney of Smithfield, was quashed in Superior court here this morning by Judge W. A. Devin. It is the second true bill returned against Wyatt to be quashed and Solicitor Evans announced that a new bill will be sent to the grand jury at once.

The indictment was quashed on the ground that the wrong man was serving on the grand jury. It was brought in court that W. H. Hughes, Jr., was a member of the grand jury which returned the bill while the records show that his father, W. H. Hughes, was the man who should have been summoned for jury duty. Hughes appeared before the court and stated he sometimes left "Jr." off his name so that when he was summoned he thought nothing of it, presuming the officer serving the summons knew who was wanted.

The first true bill returned was quashed on the ground that a 12 year old boy drew the jury list in violation of the law which provides that a child under 10 years of age must draw the list.

Solicitor Evans indicated today after the second indictment was quashed that even if the grand jury returned a third true bill the case probably will not be tried at the term of court because of the delays thus far. He said it probably would come up at the September term of court.

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