

Bitterness Is Feature First Day's Arguments To Jury In Cole Case

Jonathan Daniels, in Raleigh News and Observer.

Rockingham, Oct. 7.—By widely separated courses of arguments attorneys for the State and the defense in trial of W. B. Cole for the murder of W. W. Ormond, made a common plea for "justice" in the Richmond county superior court today.

"We do not seek revenge. We do not ask for vengeance," declared Clyde Hoey, of the private prosecution, in opening the argument, "but we ask for justice, simple, majestic, even handed justice."

"Let the God of justice and love and virtue guide you to a correct verdict," James H. Pou, leading defense counsel, declared in tones of deep piety as he closed his appeal for Cole with his hands raised in benediction over the jury.

"By 'justice' the State means that Cole be found guilty of murder in the first degree and the degree that Cole be acquitted and set free.

Cole the prison, sat calmly during the argument to the jury. Apparently

he has faith that he will be acquitted. His family also was calm for the most part although Mrs. Cole broke down in quiet sobbing when Mr. Pou pictured the death penalty which he declared the State was demanding in the case.

The day's session of the court was consumed by the arguments of Mr. Hoey and Clyde Douglas, for the State, and Mr. Pou for the defense. Judge Finley called the first night session of the trial this afternoon.

Brought Lunch.

Crowds as large as those which filled the courtroom during the most sensational testimony offered in the case were equalled by that which packed the courthouse to hear the argument in the case. Many came to the courtroom in the morning with their lunch and remained in their seats throughout the day.

The State painted a picture of Cole as a willful killer who took upon himself all the duties of prosecutor, judge, jury, and executioner. It ridiculed the defense contention that

his good character before shows that he was not a man to have killed without justification.

The prosecution contended that Cole was not only a murderer but an "assassin."

"Every man has a good reputation until he does something to destroy it" declared Clyde Douglas. "Benedict Arnold was once an American patriot, Judas Iscariot once associated with the Saviour and was one of the twelve disciples. The devil himself was once a shining angel of light."

The defense pictured Cole as a good man driven to kill because Ormond's slanders drove him out of his mind and forced him to kill to protect his family and himself.

Although the State and defense offered argument to support and oppose the self-defense and insanity pleas of Cole, the argument of the lawyers like the presentation of evidence was fought out primarily on the phase of the "unwritten law" which is essentially the defense of Cole.

In his argument, Mr. Hoey read the letter of Ormond which stated that the ex-service man and Miss Elizabeth Cole had lived together as man and wife for more than a year. The defense has made this letter the basis of a new "unwritten law" which would justify a killing to hush a slander.

Action for Slander.

"Suppose there was a single state-

ment in that letter that was a lie," declared Hoey, "unless the law the punishment is two years on the roads for slander but Cole acting as prosecutor, judge, jury and executioner, has inflicted the death penalty."

He declared that Cole was a willful killer who was willing "to throw his splendid daughter in the breach" and say "behold, behold, the sacrifice I am offering for the crime I have committed."

He declared that the State is not trying the virtue of Miss Elizabeth Cole. Only she and the dead man know whether the letter was a slander or the truth, he said.

"Bill I love you enough to do anything and we are going to get married soon," he read from the "slander letter" in which Ormond gave an alleged quotation from Miss Cole.

"Do you think I would do this if I did not love you, Bill?" he quoted again.

Mr. Hoey contended that these quotations were from letters which Miss Cole wrote to Ormond and which were excluded from evidence by Judge Finley. In his argument Mr. Pou declared that the quotations were spoken remarks to Ormond. Miss Cole's alleged remarks to Ormond.

Ormond Loved Her.

"Bill Ormond loved her," Mr. Hoey said. "The history of the world is filled with great tragedies growing out of love. He loved with

all the tenderness of family ties and friendship."

He quoted Robert Louis Stevenson that "any man who is loved, his life is indispensable."

He reviewed the evidence in the case and read the law to the jury on murder, insanity and self defense to support his contention. He declared that the State had not offered any real evidence to justify an acquittal either on the grounds of self-defense, or insanity.

He declared that ordinarily in the case of death the relatives and friends gather around the bier to say "The Lord gave, the Lord has taken away, blessed to the name of the Lord."

"In this instance," he said, they could only say, "The Lord gave, W. B. Cole has taken away," and then with faltering faith, "blessed be the name of the Lord."

Death Penalty.

In his speech Mr. Pou painted a gruesome picture of the death penalty which he declared the State is demanding in the case. As he pictured the death penalty inflicted by the State in the electric chair at the State Prison, Mrs. Cole almost broke down. She covered her eyes with her fingers and wept silently.

Mr. Pou denied that the defense was seeking an acquittal of the "unwritten law," brainstorm or moran insanity "or any bunk of any kind."

He declared that the defense believed that Cole ought to be acquitted on the grounds of self-defense or insanity, or a combination of both. He said that the law did not require the defendant only to kill to save his own life, but to kill if it appeared to him necessary to kill to save his own life. He declared that a man who has reason to believe his life is in danger does not have to judge the conduct of his adversary in "golden scales."

Mr. Pou reviewed the law on insanity "the bloody decisions" which he said prevailed until recent years. He also presented his views on insanity.

Pictures Cole.

He painted a glowing picture of Cole as a man who has worked hard and loves his family and lived a quiet, peaceable life.

Of Ormond's "slander letter," he declared it was "the most damnable letter ever sent to a father," he declared that Ormond meant by it "she isn't the pure virgin you think she is. She is a polluted thing and I'm the man who polluted her. She's a strumpet. She's my strumpet and I made her a strumpet."

He declared that if the letter is not true "we have the even more despicable figure of a man trying to destroy the character of an innocent girl so nobody could marry her but him."

He answered the charge of the State that Cole had thrown his daughter in the breach to save his life.

"All the powers of hell couldn't have held that girl back from the defense of her father," declared Mr. Pou. "There was no throwing her in the breach. She was going to defend her father's honor and her own virtue."

Clyde Douglass reminded the jury of the great crime wave which is being swept by a deadly steady tidal wave," and declared that North Carolina and Richmond County are contributing their quota of crime.

He ridiculed Cole's evidence that a feeling came over him in the midst of prayer about three weeks before the homicide that he had waited long enough.

"He can't make any sensible North Carolina man believe that God Almighty ever dictated to any man to take the life of another man," he said. He reminded the jury of that great commandment that has come thundering down through the ages, "Thou Shall Not Kill."

Of Cole's insanity plea he declared that Cole "deliberately refused to bridle his passions."

Sykes Bitter.

John C. Sykes, for the defense and W. B. Love for the State, tonight spoke to their Union County neighbors.

Sykes made a bitter speech, denouncing the character and conduct of the dead man. He denounced him as a blackmailer, a slanderer, a worthless, shiftless youth who was trying to marry Miss Cole for her money. His speech was devoted to the letter of Ormond to Cole and Miss Cole and on the basis of them he attempted to strip the man Cole killed of every vestige of honesty and decency.

Sykes sarcastically attacked every kindly statement of Ormond in the letters, and made Cole a martyr forced to do the killing by the conduct of the beast he painted as Ormond.

Attacks Dual Plea.

Mr. Love in his speech tonight, attacked Cole's dual plea of insanity and self-defense.

In his opening remarks, he paid his respects to Mr. Sykes and the type of defense that would "curse out a dead man."

He defended Ormond and gave a friendly interpretation of the "slander letter."

"God have mercy on you men who have sons who go wrong and attempt to right the wrong," he said "They cry blackmail! It wasn't dollars, and Cole knew it, that Ormond wanted. It wasn't dollars that sent Bill Ormond to France to protect Cole's property. Ormond loved Elizabeth Cole."

Ommer L. Henry, of the defense counsel, will make the first speech tomorrow. He will be followed by W. C. Douglass, veteran member of the private prosecution.

While he poured out his invective Rev. A. L. Ormond, the boy's father, sat calmly but the lines of his face showed his deep indignation. With the dead boy's father sat his brother and two sisters while Sykes made his unrestrained attack.

During the argument the attorneys made continuous uncomplimentary remarks about the attorney on the opposing sides. Only once however during the argument was there any clash.

The prosecution attorneys objected twice during Mr. Pou's speech on the grounds that he was stating as evidence facts which were not presented in evidence during the case.

Once Judge Finley told Mr. Pou

to stick to the evidence in the case but when the state objected again on the same grounds, he said that it was a matter for the jury.

Mr. Pou made the longest speech of the day.

He spoke from shortly after eleven until one o'clock and again after lunch from two o'clock until three-thirty. Mr. Hoey who opened the argument spoke for two hours. The other speeches today were shorter.

Warns Court Room.

At the opening of the argument this morning Judge Finley warned the crowd which packed the courtroom against making any demonstration of any kind during the argument.

"Most of you realize that this is a courtroom," he said, "and not the place for a demonstration of any kind. This case must be tried on the evidence and not on the approval or disapproval of the audience. If you don't think about it I want the sheriff to have deputies throughout the court room to bring them up so I can make them think about it."

Numerous flights of oratory and humorous witticisms of attorneys passed without applause or laughter in the courtroom as a result of the orders of the judge.

Post and Flag's Cotton Letter.

New York, Oct. 7.—As fully expected the market has proged a rather tame affair with few disposed to make any fresh commitments of importance. Prices eased somewhat but the market afforded no symptom of actual weakness though Bears remain confident that whatever prices may do later a further substantial recession will be seen before any important sustained recovery. Meantime spot people continue to report a broad active demand for cotton from both foreign and domestic sources with no actual weakness in the basis though shorter staples are rather easy.

Many merchants say they have found little occasion as yet to use the contract market for hedges as they find it possible to pass along to consumers any purchases of the they do not need to hedge. If that is true the decline is even more cue to speculative selling than supposed and the technical position is correspondingly stronger. As a matter of fact, there are comparatively few Bears in the legitimate trade at most, though favoring the higher crop estimates, think every bale will be wanted and readily taken at these prices and that many of the most desirable types will be in steady supply and command large premiums.

Reports from goods markets are satisfactory and all accumulations have been swept up clean with few, if any goods in speculative hands. The bureau may provide the stimulus for a rush to sell and crowd prices lower there is believed to be a large demand awaiting any further break of importance and the latent buying power is of large proportions.

Oil or Tar Treatment to Soil Roads.

Rapidly increasing traffic on the State Highway System of North Carolina has made the maintenance of soil roads a problem on which considerable study has been given by engineers of the Highway Commission. A partial solution has been found by giving an oil or tar treatment to these roads. So far between and three hundred miles of soil road have been treated and are giving very satisfactory results. The present program plans for the treatment of six hundred miles of soil roads in various sections of the State and under widely varying conditions.

The present system of treatment is the outgrowth of experiments which have been carried out on Long Island for the past eight or ten years, the only difference being that it has been found necessary in North Carolina, due to soil conditions, to use tar and special asphalt mixtures instead of the oil.

The treatment is being applied at very low cost and results in a surface which is smooth, dustless and which is skidproof in wet weather. Examples of the treatment may be seen between Sanford and Carthage, Raleigh and Lillington, and between Fayetteville and Elizabethtown.

Davidson's Wildkitten Football Squad.

Davidson, N. C., Oct. 7.—(AP)—The Davidson College freshman Wildkitten football squad is hard at work daily on Sprunt Field here, in preparation for their season's schedule which opens with High Point College in High Point on October 9th.

Coach Monk Mattox feels that he has some very likely looking high and prep school stars on hand for a creditable eleven this season.

The freshmen's card for the season follows:

October 9—High Point College at High Point.

October 15th—Presbyterian College freshmen at Davidson.

October 23—Furman University freshmen at Greenville, S. C.

October 30—Duke University freshmen at Durham.

November 13—State College freshmen at Davidson.

November 20—Clemson College freshmen at Clemson College, S. C.

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Because we eliminate the extra profits and overhead that many other manufacturers have to pay to outside parts and body makers — we are able to use finer materials and workmanship — yet charge no more than competing cars.

But there is another side to One-Profit manufacture — a feature that no careful buyer can afford to overlook.

Under this One-Profit policy the entire car is designed, engineered and manufactured as a complete, coordinate harmonious unit in Studebaker plants. Being Unit-Built it functions as a unit. And this adds years to its life — gives you scores of thousands of miles of excess transportation — greater riding comfort — minimum repair costs — and, finally, higher resale value.

Examine the Standard Six Coach closely — make detailed comparisons with other cars — and you will understand the full meaning of One-Profit value.

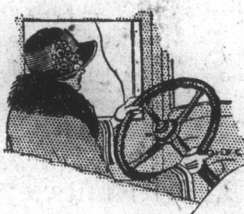
A Coach of quality

It is called a coach only because it is the lowest priced closed car ever sold by Studebaker. But it is a quality car through and through.

Do not buy this coach with the expectation that you'll have to trade it in at the end of a year or so. It's not a one-year car.

Instead, it has been honestly built to give you scores of thousands of miles of dependable service.

Notice the durable wool upholstery. See the heavy ornamental hardware; the plate glass windows and windshield; the fine trim to hide all tacks; the clock and gasoline gauge on dash; automatic windshield cleaner; stop light; locks on ignition, steering gear, door and spare-tire carrier — all operated by a single key.



These are all features that you can easily see. But down underneath that glistening coat of metallic enamel you'll find the same quality of materials and workmanship that are out in the open.

The sturdy frame for the body is built from the fine northern ash and hard maple. Slam the door and the sound says quality. Underneath the upholstery you'll find two layers of washed, quilted cotton, one layer of genuine curled hair and extra long springs closely held together by small coil springs. This is the identical cushion and seat construction used in the highest priced cars.

Long resilient springs made of special chrome Vanadium steel give greater buoyancy and protection from road shocks.

The crankshaft is completely machined on all surfaces to eliminate vibration. And the motor is the most powerful in any car of this size and weight, according to the rating of the National Automobile Chamber of Commerce. It is a motor built for smooth, trouble-free service at 5 to 55 miles an hour — smart for excessive speed or spectacular stunts.

The body is smart in appearance — yet provides ample room to seat five passengers in real comfort. Ample room to enter or leave without disturbing occupant of folding seat.

Make comparisons before you buy

These are advantages made possible by One-Profit manufacture. Check them off point by point — in comparison with other coaches.

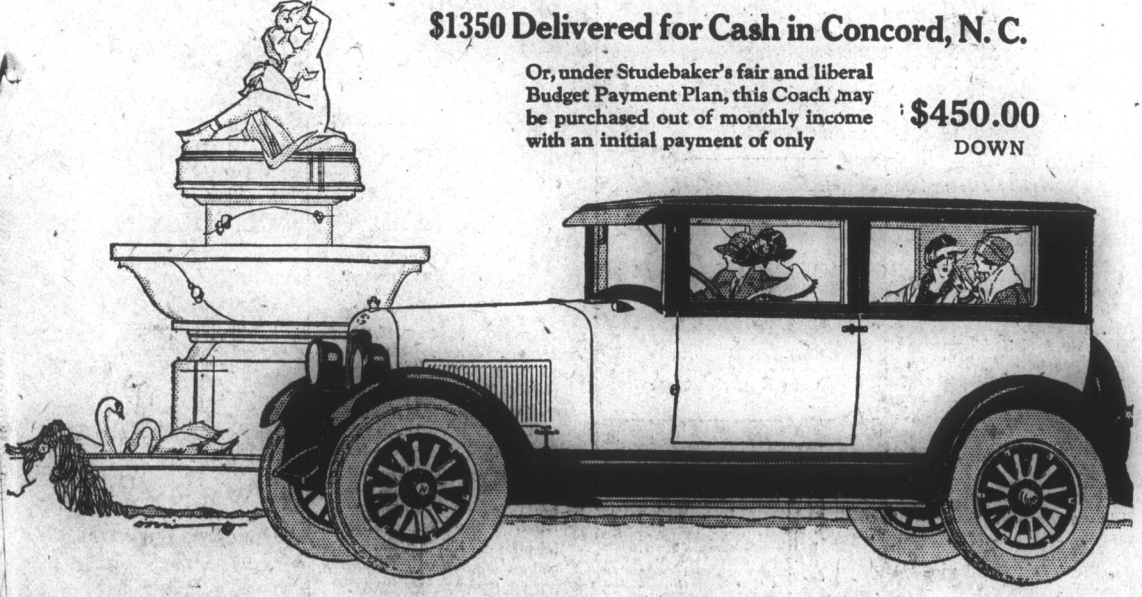
Only after you have seen this One-Profit Studebaker with its Unit-Built construction, will you realize why it offers a value that cannot be obtained in any other car. It is the automobile equivalent of Pullman transportation.

The Studebaker policy of "no yearly models" is a further protection to owners. Under this policy Studebaker cars are always up to date — we add improvements from time to time and do not save them up for spectacular annual announcements which make cars artificially obsolete.

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