

COLE'S FATE RESTS WITH JURORS, JUDGE COMPLETING CHARGE

Judge Finley Delivered Charge to Jury After Solicitor Don Phillips Had Been Heard.

JUDGE'S CHARGE VERY LONG ONE

Says Virtue of Miss Cole Not Issue—Tells Jury Slander Not Cause for Murder in State.

Rockingham, Oct. 10.—The case of the state against W. B. Cole, wealthy cotton manufacturer, charged with murder, was given to the jury at 12:40 o'clock today.

After 36 hours of argument, Judge T. B. Finley read the court's charge and the jury retired to decide the guilt or innocence of Cole, who killed W. W. Ormond, formerly the sweetheart of his 24-year-old daughter, Elizabeth Cole.

The court room was packed. The doors were closed to the coldest day of the two weeks' trial, and the winter garments with bright colored clothes of warmer days as the room settled back to await the verdict.

The defendant, nervous throughout the appeal of Solicitor Phillips for an "even handed justice" sat with his family. To their right, somewhat removed, sat the Rev. A. L. Ormond, father of the dead man, and his two daughters. They were silent and undemonstrative.

Richmond County Court House, Rockingham, Oct. 10.—The three subjects in the trial of W. B. Cole about which were centered the bitter arguments are not issues in the wealthy cotton manufacturer's trial for murder, Judge Finley said.

One of four verdicts will be returned by the jury that today begins its deliberations after one of the most sensational trials in the state.

W. B. Cole may be found guilty of murder in the first degree, of murder in the second degree, of manslaughter, or he may be declared not guilty.

After giving the laws defining each, the charge defined a jury's proper attitude towards the two defenses offered by Cole, self-defense and insanity.

"If you should find from the evidence that the defendant entered into the fight willingly and that the deceased started to get his pistol and then the defendant had reasonable grounds to believe, and did believe that he was about to be killed or receive some great bodily harm at the hands of the deceased, he would at least be guilty of manslaughter."

"The defendant pleads transitory insanity. As to whether the defendant was insane at the time of the homicide is a matter of fact for you to determine. I charge you that before the defendant can be justified in killing the deceased on the grounds of insanity, that he should show to the satisfaction of the jury that at the time of committing the deed he was insane and did not know right from wrong, or did not know what he was doing was wrong at the time of committing the deed."

"By interposing the plea of insanity or transitory, the defendant says by his plea that he did the killing, but the act is not one for which he can be held responsible. The court charges you, whether the defendant had a mental disease or not, is a question of fact as to whether he had a bodily disease or not, if the question were raised."

"The court charges you, gentlemen of the jury, that no man has a right to kill another in North Carolina for slandering his family. Slander is a crime and the law provides a penalty for it, but it is not the death penalty. The court further charges you that no man has a right to kill another because he was threatened by him; a threat alone not being sufficient to justify killing. But you are to try the case under law and evidence."

"The law is no respecter of persons."

Fair Week Plans Are Finished By Officials

Only Last Minute Details Await Settlement Before Ground Will Be Ready For Big Crowds.

SPECIAL TRAIN OF HORSES HERE

Seventy-Six Horses Coming on Train For Races—Exhibits Must Be Taken to Fair Grounds Monday

TUESDAY, OCTOBER 13th  
2:19 Trot — Purses \$300  
2:17 Pace — Purses \$300

WEDNESDAY, OCTOBER 14th  
2:14 Trot — Purses \$300  
2:11 Pace — Purses \$300

THURSDAY, OCTOBER 15th  
2:23 Trot — Purses \$300  
2:22 Pace — Purses \$300

FRIDAY, OCTOBER 16th  
2:16 Trot — Purses \$300  
2:14 Pace — Purses \$300

SATURDAY, OCTOBER 17th  
2:10 Trot — Purses \$300  
2:10 or better — Purses \$300

Entrance Money Added to Purses

As the opening day for the third annual Cabarrus County Fair draws nearer, interest in the big event is manifested throughout the county.

Inquiries concerning various features of the fair are coming from all sections of the county and officials are more convinced than ever that interest and attendance during the week will break all local records.

Nothing remains to be done now except place the entries and as these can be placed easily on Monday, officials will see everything in full swing at the grounds.

Persons with exhibits are expected to place them some time Monday. No entries will be received after that day. Several persons carried chickens to the grounds during the afternoon and they were housed by J. Ivey Cline, in charge of the poultry department this year.

A watchman went on duty at the grounds during the day and another will be stationed there tonight and every other night during the fair.

The secretary of the horsemen's division of the Rutherford Fair wired J. F. Cannon, President of the local fair, that a special train carrying race horses will reach Concord tomorrow. On the train will be 76 horses, the message stated.

In addition to these racers others are expected from South Carolina a dozen horses are already quartered at the grounds and when the first race begins Tuesday at least 100 horses are expected to be at the grounds.

There will be no formal parade this year as an opening feature of fair week, officials deciding to eliminate this feature. However, the Wisconsin Band, which has played for the fair every year since its organization, will be on hand and will give a concert in the business district.

Each day during the fair the band will give a concert at the auto exhibit tent at 11 a. m. and will play for the free acts both in the afternoon and at night.

Dr. T. N. Spencer, secretary of the fair, stated this morning that he has issued a special invitation to students of the Laura Sunderland School, the Jackson Training School, Mont Amosa Seminary and Mt. Pleasant College to be guests of the fair.

The invitation also includes all students in the public schools of the county. Concord's business district was robbed holiday attire during the night, the many colored streamers, flags and

and yet he has shown no malice to any one. He has sat silently throughout the long proceedings, much of the time with his head bowed as though in prayer.

Larry Moore, representing Mr. Ormond, said today during his powerful argument before the Union county jury that when Mr. Ormond employed him he informed him that "I don't want to do one thing against that girl that isn't absolutely necessary in defense of my dead son."

In the event of a mistrial of the present proceedings, the letters might play an important part in the second trial. Of course, no one expects a mistrial, but it is safe to predict that the State would make another powerful effort to get the letters introduced if forced to prosecute again.

The prosecution has intimated throughout the trial that the contents of the letters would go a long way in convincing the jury that Ormond played the role of a man in writing Cole the "slander" letter. The defense attorneys on the other hand, have privately said that the introduction of the letters wouldn't have damaged their case, so certain are they that there's nothing of an explosive nature in them. Miss Cole, they say, has assured them that she is certain no letter in the packet contains anything that would besmirch her.

Rev. Mr. Ormond's conduct at this trial has evoked the deep sympathy of those who have gazed into his kindly face from day to day. He has heard his son's character bandied around the court room with abandon,

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Coolidge Speaks Before American Legion



Here is President Coolidge at the speakers' stand of the American Legion convention at Omaha. Just behind the radio microphones is James A. Drain, national commander of the Legion. At the left can be seen the huge gong used to keep the convention in order.

ADVISE ABOLITION OF THE CHAIN GANG

Grand Jury of Brunswick Says Cost Far Exceeds Benefits Derived.

Southport, Oct. 10.—Drastic changes in the county government of Brunswick were recommended by the grand jury in their report to Judge Daniels, filed just before adjournment of court here Wednesday afternoon.

Considerable comment was heard on all sides as soon as the report had been read. The grand jury recommended the absolute abolition of the chain-gang, stating that their investigation convinced them that the cost of operating the chain-gang, feeding the prisoners and transporting them back and forth, far exceeded any benefit the county of Brunswick might receive.

They further recommended that the recorder court be abolished, stating that in their opinion the magistrates and superior courts could adequately handle the crime situation in the county, and they felt the expense of a recorder's court should be eliminated.

This grand jury seems to have given considerable thought and attention to the expense of county government and settled upon recommendations which would make for a more economical administration. They further suggested that the commissioners cease to make special allowances to Deputy Sheriff Cotton, and that he be requested to perform all of the duties incident to his office or the sole compensation of \$2,000, his present salary.

Major General Meritt W. Ireland, surgeon general of the army, and Rear Admiral E. R. Stitt, surgeon general of the navy, have promised to be present. Judge John Barton Payne national chairman, will preside.

Speakers include Melville E. Stone, counselor of The Associated Press; W. R. Davies, president of the Chicago Association of Commerce; Dr. August O. Thomas, Maine superintendent of public schools; Col. Ernest Bicknell, vice chairman of the Red Cross, who was Red Cross commissioner to Europe and directed many of the projects abroad after the world war; Dr. Arthur W. Dunn, national director of the Junior Red Cross, and Chancellor Herbert S. Hadley, of Washington University, St. Louis.

Public health conferences will be held on the subjects of home hygiene, nutrition service, first aid, life saving and Junior Red Cross and chapter work.

Low Record on Fire Losses in Asheville.

Asheville, Oct. 10.—Asheville made a new low record here during September on fire losses, when the total losses from fire for the month were reported as \$85.

August's fire loss total was \$85, which, up to that time, was the low figure in the city's fire department history. Of the \$85 total for September, \$40 of the loss was on buildings, \$25 on contents, Chief A. L. Duckett's report shows.

Mother of Commander Lansdowne Is Dead.

Washington, Oct. 10.—(AP)—Announcement of the death of Mrs. Elizabeth Knox Lansdowne, mother of Commander Zachary Lansdowne, was contained in a telegram received here today from Greenville, Ohio.

The message came to Mrs. Zachary Lansdowne who on yesterday testified before the naval court inquiring into the wreck of the Shenandoah and the killing of Commander Lansdowne and members of his crew.

Approve Sections of Security Pact.

Locarno, Switzerland, Oct. 10.—(AP)—The German and allied statesmen today approved in the second reading the majority of points in the draft of the security pact but left for consideration on Monday the two main outstanding questions, first the conditions of Germany's entrance into the League of Nations; and second, France's special guarantee for Poland.

Book of Prayer Discussed.

New Orleans, Oct. 10.—(AP)—Discussion of the book of common prayer and indications that the heresy case of the Rev. William Montgomery Brown, one-time bishop of Arkansas, would be thrown into federal court, were the principal matters before the 48th terminal general conference.

Big Liquor Haul.

Miami, Fla., Oct. 10.—(AP)—Four men, 1200 bottles of whiskey, two automobiles and a truck were seized by customs when they surprised rum runners unloading liquor from a small boat into the machines near Cutler, a few miles south of here early today.

Next Seven Days Big One In Our Campaign

CLEAR AND COLD AT WASHINGTON

Washington, Oct. 10.—(AP)—Clear sky and a stiff cold wind greeted those who peeked out early today to reckon the weather or conditions for the third game of the world series. A temperature of 37 was registered at 7 o'clock, but it had risen two degrees an hour later.

PRELIMINARY HEARING OF POSTAL EMPLOYEE

Charged With Robbery at Rocky Mount Postoffice September 15.

Rocky Mount, N. C., Oct. 10.—(AP)—John Burgess, postal employee charged with the theft of \$35,000 from the local postoffice, is expected to be given a preliminary hearing before the United States Commissioner here today.

All the money has been recovered by postal authorities. In the meantime, Burgess has been under guard in a local hospital, suffering from a gunshot wound, which he says was inflicted by mobbed robbers. Postal authorities believe otherwise.

The robbery was committed on the night of September 15. Registered mail containing \$15,000 in currency was taken from the postoffice at that time. Two packages of the money were later found in the postoffice basement, and the third was discovered concealed near the postoffice.

The money has all been returned to the sender.

The first intimation of the robbery came when a Rocky Mount police officer heard a shot in the postoffice. Hurrying to the building, he says, he found Burgess with a shot in his side, Burgess was the only clerk in the office at the time, it is said.

Burgess' version of the incident is that four masked men entered the postoffice, two of them attacking him, while the other two rifled the mail pouches. In the encounter with the men, Burgess says, one of them shot him.

His arrest followed the discovery of the two of the three packages in the postoffice basement. It has not been possible to hold a preliminary hearing earlier, the defendant's condition being such that he could not attend such a hearing, it is said.

Want no Circuses, Carnivals or Tent Shows in Salisbury.

Salisbury, Oct. 10.—(AP)—Salisbury's board of aldermen wants no circuses, carnivals or tent shows within the limits of this city.

At any rate, the action of the council in passing, on first reading, without any indication that it would have opposition at later readings, an ordinance which would prohibit the showing of any such circus or tent show anywhere in the city limits within 1,000 feet of any residence. Penalties for violation are prescribed.

The ordinance is generally considered as sounding the death knell of circuses within the city, for it is pointed out that there is no available lot within the city which would not be within the limits set by the ordinance.

Sunday Closing Law in High Point.

High Point, Oct. 10.—(AP)—A more stringent Sunday closing law was advocated here recently by Rev. Charles K. Coble, pastor of the First Presbyterian Church, who spoke before the city council, especially urging an ordinance prohibiting the sale of ice on Sunday.

It was pointed out that it would be unfair to pass such an ordinance in the absence of Councilman Rodney Snow, who is in the ice business, and no action was taken at the time.

Snow Stern in East.

Boston, Oct. 10.—(AP)—A snow storm, record-breaking in its intensity, for so early in the season, laid a white covering over New England today. At St. Albans, Vt., six inches fell and the city snow plows were called out. Burlington, Vt., had four inches and Barre, Vt., and Rochester, N. H., three.

Makes Plea in Scopus Case.

Knoxville, Tenn., Oct. 10.—(AP)—Dr. John R. Neal, senior counsel for the plaintiff in error in the case of John T. Scopus, vs. State of Tennessee, was to reply today to the state's motion to quash the appeal in the Supreme Court here.

Greatest Vote Offer of Entire Campaign Is Now On and It Will Continue For Just Seven Days.

NOW GOOD TIME TO MAKE START

Not Too Late For Persons to Enter As They Can Take Advantage of Big Vote Offer Now.

The coming seven days will, beyond question of doubt, prove the most important of the entire Tribune-Times election to the candidates. The greatest vote offer of the entire campaign is now in force and offers the opportunity for candidates, both present and prospective, to get a lead in the race. Those who are wise will get busy at once and gather in the harvest of votes during this period of the biggest vote schedule.

More Votes Given Now. These who have been thinking of entering the big gift distribution campaign and whose names now appear in the list, but who have as yet not started an active campaign, will find no better time to do so than right now.

With the present big vote schedule in effect, giving a new candidate a chance to pile up votes on the double quick, no one should delay entering the big campaign with determination and earnestness to win this coming week.

Do You Want a Real Car? This election is so big that it ought to have the attention of the very biggest men and women in this territory. Here one stands to gain up to \$2,110 with every active candidate guaranteed at the very least 10 per cent of every dollar he or she turns in on subscriptions. There are four new cars to be awarded, the new Buick Master-Six Brougham, the new Studebaker Phaeton, the new Hudson Coach, the new Chevrolet Sedan, bags of gold and silver and other cash awards. "Everyone Wins Something."

It is safe to predict that there will be very few men or women in Concord or this territory besides the Tribune-Times prizes winners who will make upwards of \$2,000 between now and November 21st.

Choose Your Own Gift. The Tribune-Times' big election offers the people of this territory a costly list of gifts to choose from, the greatest and most valuable of gifts ever offered in this part of the state. The big, handsome, powerful cars are most desirable models of the most desirable makes. Who wouldn't want any one of these four new cars? Hundreds of dollars in gold and silver stand awaiting you.

Subscriptions Will Win. One couldn't imagine a finer list of candidates. As men and women every person entered lends prestige and standing to this campaign. Admit that. But this is a subscription getting campaign, first. Subscriptions will win. And subscriptions do not give over the wings of the morning without effort. The goal is too big, the objective is too important not to make a supreme effort to produce the subscriptions—while they count so many votes. Those who have the foresight to see the tremendous value in votes of subscriptions as compared with the coupons and get their campaign started while the present big vote schedule is in effect will be well paid for their efforts.

Now is the time to enter and pile up votes on the big vote schedule. Start now in earnest and you will be surprised at what you can accomplish with assistance of the biggest vote offer of the entire race.

With Our Advertisers. Dress-up time is here. Read the ad. of M. R. Pounds in regard to your made-to-measure suit.

Cold weather is here. Efrud's have the clothes for this weather to keep the entire family warm.

The modern way is the electrical way. Consult W. J. Hethcox for all things electrical.

Scientists predict the most severe winter in over two hundred years. H. B. Wilkinson has an Allen Heater to keep you warm.

"Bobbied Hair" at Warner Bros. Concord Theatre Monday and Tuesday.

Today only at Warner's Concord Theatre, "The Mark of Zoro." Also the first chapter of "Secret Service Sanders," and last chapter of "Battling Brewster."

Because of the demand of the French people for freshly-killed rather than refrigerated meats, France leads the world in the importation of live animals.

SAT'S BEAR SATS: Fair and colder with frost tonight, probably heavy in interior. Sunday fair with slowly rising temperature. Diminishing northwest and north.

NOW OPEN

The 56th series in this old reliable building and loan and savings association will open on October 3rd, 1925.

The Officers and Stockholders invite each and every person in Concord to take some shares in this series.

Running shares cost 25 cents per share per week. Prepaid shares cost \$72.25 per share.

Each share is worth \$100.00 at maturity. We have been maturing our stock in 328 weeks. Tax return day is coming.

"JUST REMEMBER THAT ALL STOCK WITH US IS NON-TAXABLE."

START NOW  
CABARRUS COUNTY BUILDING LOAN AND SAVINGS ASSOCIATION  
Office in the Concord National Bank

WARNER'S CONCORD

TODAY ONLY  
Big Double Program  
Doug Fairbanks in

"The Mark Zoro"

Thrills and Romance  
Extra Features  
First Chapter of

"SECRET SERVICE SANDERS"

A New Continued Photo-play

And Last Chapter of "Battling Brewster"



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