

The Concord Daily Tribune
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RAILROAD SCHEDULE
 In Effect June 28, 1925

Northbound

No. 40 To New York	9:28 P. M.
No. 138 To Washington	5:05 A. M.
No. 38 To New York	10:25 A. M.
No. 34 To New York	4:43 P. M.
No. 40 To Danville	3:15 P. M.
No. 12 To Richmond	7:10 P. M.
No. 32 To New York	4:03 P. M.
No. 30 To New York	1:35 A. M.

Southbound

No. 45 To Charlotte	3:55 P. M.
No. 35 To New Orleans	9:56 P. M.
No. 29 To Birmingham	2:35 A. M.
No. 31 To Augusta	5:51 A. M.
No. 33 To New Orleans	8:25 A. M.
No. 11 To Charlotte	8:05 A. M.
No. 135 To Atlanta	8:35 P. M.
No. 37 To New Orleans	10:45 A. M.
No. 39 To New Orleans	9:55 A. M.

Train No. 34 will stop in Concord to take on passengers going to Washington and beyond.

Train No. 37 will stop here to discharge passengers coming from beyond Washington.

BIBLE THOUGHT
 FOR TODAY

Men Love Darkness.—This is the condemnation, that light is come into the world, and men loved darkness rather than light, because their deeds were evil.—John 3:19.

THE UNWRITTEN LAW AGAIN.

Judge Henry Grady, in charging the jury in the Wiles case in Durham, took special pains to discuss the so-called unwritten law. The presiding officer left no points unvoiced in his charge, and certainly it cannot be said that the jury was not instructed on the point.

Undoubtedly Judge Grady had in mind the Rockingham case when he reached the point in his charge where he deemed it necessary and right to discuss the unwritten law. Wiles in his defense has pleaded self-defense but his counsel made the fight on the unwritten law almost entirely. It was brought out in the evidence that the wife of Wiles had left him in Columbia, S. C., and had gone to Durham with the man whom Wiles slew.

"I charge you most emphatically, gentlemen," Judge Grady said, "that there is no such thing in North Carolina as the unwritten law.

"I charge you that you cannot render a verdict in this case of acquittal because you may be convinced that the prisoner was justified, under the so-called 'unwritten law,' for there is no such law in North Carolina, and what you have done under the circumstances or what you feel that you would have done under similar conditions, can not have any weight with you in arriving at a verdict in this case.

"You are an integral part of this court; you are solemnly bound by an oath to try this case according to law and upon the evidence offered. The prisoner pleads self-defense, and, therefore, you are to try this case with solemnity and due decorum, unbiased by prejudice and passion, and under the rules of law as laid down to you by the court."

Judge Grady was following the law in his charge, and it makes matters all the more confusing when a jury pays no attention to instructions and deliberately frees a man on grounds not recognized by the law. It is simply this—members of the jury use their hearts as well as their minds. They debate not so much the law but human nature. They put themselves in imagination in the position the defendant was in, and that determines the matter.

There is no recognition for the unwritten law but it is a law nevertheless, and it plays a major part in many of the murder cases in this and other States.

THE DOUBTERS MUST BE CONVINCED NOW.

Officials of the Cabarrus Fair Association had no easy task this year in convincing the public beforehand that the fair would be a success. All sorts of pessimistic forecasts were made, but the fair would be a "top" and many persons went so far as to make public predictions that the week would be one of continuous rain, that the drought had ruined all chances for (any) exhibits, that low-priced cotton would keep the farmer at home

and short schedules in the textile plants would keep the operatives at home.

The doubters must be convinced now that their predictions were all wrong. Such crowds as were present during the week of the fair established new attendance records, the farm exhibits were as good as ever and while it rained one day and showered on other days, the weather for the week was good.

We should learn this lesson from the fair this year—to give encouragement instead of discouragement to the officials. If we think the fair is going to be a failure we should keep such counsel to ourselves. The officials plan the fair for the benefit of the public, not for their own benefit. Surely no one has worked harder for the fair than its secretary, Dr. T. N. Spencer, and we believe we are breaking no confidence when we make public the fact that he has never received a cent of money for his work. Neither have the other officials, although they have given generously of their time, talent and money.

We feel that we are safe in saying that no fair in the South this year will excel the Cabarrus fair in its program of shows, free acts, fireworks and other features. Experienced race men as well as show men who have been in the game for many years, are authority for statements that the Cabarrus Fair gave the finest free acts and fireworks of any fair they have ever seen. It takes money to do these things; it takes also, untiring efforts on the part of the officials. Attractive programs cannot be arranged and perfected without hard work.

The task of the fair officials is hard enough at the best, and certainly the people of Concord and Cabarrus County who benefit most from the fair should be the last to criticize.

Already plans for next year's fair are in the making. Let's co-operate with the officials. We can at least give them the things they deserve for the excellent fair this year, and we can assist them in no uncertain manner by kindly words and assurances of support.

DUDDING SAYS COLE SHOULD GO TO JAIL

Verdict of Guilty Would Have Been Much Better For Cole Than Acquittal.

Washington, Oct. 16.—Stating that he had received a dozen or more letters from citizens of North Carolina asking what he thought of the acquittal of W. B. Cole, of Rockingham, for the killing of W. W. Ornduff, E. E. Dudding, president of the Prisoners' Relief Society, in a signed statement sent the press today, expresses some decidedly unique views on the matter, his statement reading:

"I can only speak for myself and not for the directors of the Prisoners' Relief Society. I think that the jury that found a verdict of not guilty did Mr. Cole a great injustice. It would have been better for Cole, if the jury had found him guilty of manslaughter and if they felt like asking the mercy of the court, all right. Most of the people, I think, believe Cole guilty of murder in some form and now as matters stand, he will have to go through the rest of his life as a fugitive from justice. He could have done the time and in a short while got back, as his enemies naturally have been satisfied and his friends would have made an extra effort to help him. From any viewpoint, Mr. Cole will have a bitter lot to meet the balance of his life. It would have been far better for him if the jury had found him guilty. People will have less faith in the jury. The law has been blighted. There will be, I think, no provocation for the killing. Mr. Cole simply lost his head and let the devil get the best of him. He may do it again. I do not know the boy he killed and I think who he was matters but little. Mr. Cole's own relative was to blame in part. If I were Mr. Cole, I would ask that I be sent to prison for, say five years, and that would have a very mitigating effect."

TODAYS EVENTS.

Monday, October 19, 1925.

Anniversary of the surrender of Cornwallis at Yorktown, which virtually ended the war for American independence.

Maj. Gen. William H. Johnston, U. S. A., who commanded the 91st Division in France, will be placed on the retired list today for age.

Hearings on tax legislation are scheduled to begin today before the House ways and means committee in Washington.

A radio and correspondence course in dairy farming is to be inaugurated today by the Connecticut Agricultural College.

Supported by Philip Snowden, Mrs. Lloyd George and other men and women of influence, the biggest prohibition campaign yet attempted in England is to be launched today at Manchester.

Delegates from the Missouri Valley and Southwestern States, assembled in Kansas City for a Missouri River navigation conference, are to be addressed tonight by Herbert Hoover, secretary of commerce.

Movie Magazine, a Macfadden publication, in the November number contains "Who Gets the Most Out of Marriage?" It airs the frank opinions of the movie stars, says Viola Dana, who herself is barely five feet in height and whose husband, Lefty Flynn, is six foot two. "I certainly got the best of the bargain by almost a foot and a half." "The Girl on the End, Front Row," is the experience of Daphne Stark, who lived on a chorus girl with chorus girls for a week. "A Bird of Strange Plummage" has come to Hollywood in the person of John Barrymore who by his very presence makes the film city, the movie stars and their petty vanities appear sad and infrequently feel ridiculous.

Published by Arrangement with First National Pictures, Inc. and Frank Lloyd Productions, Inc.

CHAPTER XIV. (Continued)

"I've been lying for you!"

Kirby's usually impassive face was a sight; it was fearfully contorted; it was the countenance of a maniac. His words were loud and uncannily distinct, and the sound of them had brought a breathless hush over the place. At the moment of Doret's entrance the occupants of the saloon seemed petrified; they stood rooted in their tracks as if the anger in that menacing voice had halted them in mid-action. "Poleon, too, turned cold, for it seemed to him that he had opened the door upon a roomful of wax figures posed in theatrical postures. Then in the flash of an eye the scene dissolved into action, swift and terrifying.

"What happened was so unexpected, it came with such a lack of warning, that few of the witnesses, even 'Inouye' and 'Behler,' were able later to agree fully upon details. Whether Kirby actually fired the first shot, or whether his attempt to do so spurred his antagonist to lightning quickness, was long a matter of dispute. In a flash the room became a place of deafening echoes. Shouts of protest, yells of fright, the crash of overturning furniture, the stamp of fleeing feet mingled, with the loud explosion of gunshots—pandemonium.

Fortunately the troupe of women who had been here earlier were gone and the tent was by no means crowded. Even so, there were enough men present to raise a mighty turmoil. Some of them took shelter behind the bar, others behind the stove and the tables; some bolted headlong for the door; others hurled themselves bodily against the canvas walls and ripped their way out.

The duel was over almost as quickly as it had begun. Sam Kirby's opponent reeled backward and fetched up against the bar; above the din his hoarse voice rose:

"He started it! You saw him! Tried to kill me!"

He waved a smoking pistol-barrel at the gambler, who had sunk to his knees. Even while he was shouting out his plea for justification Kirby slid forward upon his face and the fingers of his outstretched hand slowly unloosed themselves from his gun.

It had been a shocking, a sickening affair, the effect of it had been intensified by reason of its unexpectedness, and now, although it was over, excitement gathered again. Men burst forth from their places of concealment and made for the open air; the structure vomited its occupants out into the snow.

"Poleon Doret had been swept aside, then borne backward' ahead of that stampede, and at length found himself wedged into a corner. He heard the victor repeating: "You saw him. Tried to kill me." The speaker turned a blanched face and glaring eyes upon those witnesses, who still remained. "He's Sam Kirby. I had to get him or he'd have got me. He pressed a hand to his side, then raised it; it was smeared with blood. In blank stupefaction the man stared at this phenomenon.

Doret was the first to reach that motionless figure sprawled face down upon the floor; it was he who lifted the gray head and spoke Kirby's name. A swift examination was enough to make quite sure that the old man was beyond all help. Outside, curiosity had done its work and the human tide was setting back into the wrecked saloon.

When "Poleon rose with the body in his arms he was surrounded by a clamorous crowd. Through it he bore the long figure to the cloth-covered card-table, and there, among the scattered emblems of Sam Kirby's calling, "Poleon deposited his burden. By those cards and those celluloid disks the old gambler made his living; grim fitness was in the fact that they should carpet his bier.

When "Poleon Doret had forced his way by main strength into the Gold Belt Saloon, he removed his cap and, turning his face to the wind, he breathed deeply of the cool, clean air. His brow was moist; he let the snowflakes fall upon it while he shut his eyes and strove to think. Engaged thus, he heard Lucky Broad address him.

With the "speaker was Kid Bridges; that they had come hither on the run was plain, for they were panting.

"What's this about Kirby?" Lucky gasped.

"We heard he's just been croaked!" the Kid exclaimed.

"Poleon nodded. "I seen it all. He had it comin' to him," and with a gesture he seemed to brush a hideous picture from before his eyes.

"Old Sam! Dead?"

Broad, it seemed, was incredulous. He undertook to bore his way into the crowd that was pressing through the saloon door, but Doret seized him.

"Wait!" cried the latter. "Dat ain't all; dat ain't de worst."

"Say! Where's Letty?" Bridges inquired. "Was she with him when it happened? Does she know?"

"Dat's w'at I'm goin' to tell you. In a few words 'Poleon made known the girl's condition, how he had happened to encounter her, and how he had been looking for her father when the tragedy occurred. His listeners showed their amazement and their concern.

"Gosh! That's tonight!" it was Broad speaking. "Me 'n' the Kid had struck camp and was on our way down to fix up our boat when we heard 'bout the 'killin'. We couldn't believe it, for Sam—



"Here's some feller ain't worth killin'."

"Seems like it was a waste of effort to save that outfit." Bridges broke in. "Sam dead and Letty dyin'—all the length of time! She's a good kid, she's a goin' to feel awful. Who's goin' to break the news to her?"

"I don't know," "Poleon frowned in deep perplexity. "Dere's doctor in dere now," he nodded toward the Gold Belt. "I'm goin' to talk him to her, but she mus' have someone for to tak' care of her. Mebbe Madama la Contesse—"

"Why, the Countess is gone! She left at daylight. Me 'n' the Kid are to follow as soon as we get our skiff fixed."

"Gone?"

"Sure!"

"Sacrel Deo! One decent woman in dis place. Wall! 'Poleon shrugged. "Dere danc-hall gal is got good heart."

"Hell! They pulled out ahead of our gang. Best ran his boat through the White Horse late yesterday and he was off before it was light. I know, because Phillips told me. He's joined out with 'em-blew in early and got his war-bag. He left the Countess flat."

Doret was dumfounded at this news and he kissed her. "But—dere's no more wroper here!" he stammered. "Dat young lady she's seek; she mus' be nurse by Lar! Who's goin' to do it, eh?"

The three of them were anxiously discussing the matter when they were joined by the doctor to whom "Poleon had referred. "I've done all there is to do now," the physician announced. "Here about Kirby's daughter. You say she's delirious? The pilot nodded. He told of Rouletta's drenching on the afternoon previous and of the state in which he had just found her. "Jove Pneumonia, most likely. It sound serious, and I'm afraid I can't do much. You see I'm all ready to go, but—of course I'll do what I can."

"Who's goin' to nurse her?" "Poleon demanded for a second time. "Dere ain't no women in dis place. The physician shook his head. "Who indeed. It's a wretched situation! If she's as ill as you see to think, why, we'll have to do the best we can, I suppose. She probably won't last long. Come! To gether he and the French Canadian hurried away.

CHAPTER XV

It was afternoon when Luck Broad and Kid Bridges came to "Poleon Doret's tent and called it their own outside.

"We're hitched up and ready to say 'gid-day' but we can't wait to see how Letty's getting along," the former explained.

"Poleon shook his head doubtfully. His face was grave. "She's bad seek."

"Does she know about old Sam?" "She ain't know nothin'." She'll grze altogether. Poor lil' gal, she'll lak baby. I'm scare as hell."

The confidence men stared at each other silently; then they stared at Doret. "What we goin' to do about it?" the Kid inquired. "Finally, "Poleon was at a loss for an answer; he made no secret of his anxiety. "De doctor say she mus' stay right here—"

"Here?"

"If she say she get cold once more—put! She die lak dat! Plenty fire, plenty blanket, medic' ever' hour, dat's all. We prayin' for com' along some woman—any kin' of woman at all—I don't care if she's squaw."

"There ain't no skirts back of us Best's outfit was the last to leave Lindeman. There won't be any more till after the freeze-up."

"Eh bien! Den I s'pose I do de best I can. She's poor seek gal it beeg, cold cuntry wid' no frien's no money."

"No money?" Broad was startled. "Why, Sam was 'fat!' He had a bank-roll."

"He lose five 'ousand dollar play in card las' night. Less 'n eighty dollar dey let him. Eighty dollar an—dis." From the pocket of his mackinaw "Poleon drew Kirby's revolver, that famous single-action six-shooter, the elaborate ivory grip of which was notched in several places Broad and his partner eyed the weapon with intense interest.

Bridges was even more deeply impressed by the announcement of Kirby's losses than was his partner. "Sam must o' fien' some pickin' drunk like that. He was a gambler fool when he was right, but I s'pose he couldn't think of nothin' except fresh meat for Agnes. Letty had saved him if she hadn't of gone off her nut. D'you think she's got a chance?"

"For get well?" "Poleon shrugged his wife's shoulders. "De doctor say it's goin' to be hard pull. He's goin' to stay so long he can, den wal, mebbe 'noder doctor come along. I hope so."

"If she does win out, then what?" Broad inquired.

"'Poleon considered the question. "I s'pose I tak' her back to D'ya an' send her home. I got some dog. A Lucky studied the speaker's anxious face; there was a peculiar hostile gleam in his small, colorless eyes. "Medicine every hour, and a steady fire, you say. You don't s'pose to get much sleep, do you?"

"No. No. But see, I'm strong 'nough, I can sleep hangin' up by de neck I s'pose."

"What's de big idea?"

"Eh?" Doret was frankly puzzled. "What you mean, ben' idea?"

"What'd you expect to get out of all this?"

DINNER STORIES

Mrs. Bay-on-time: "How much is this hat?"
 Clerk: "It's \$10 cash."
 Mrs. B.: "And how much by installments?"
 Clerk: "It's \$15—\$10 down and \$1 a week for five weeks."

Goofus: "I see they have Rocky Fords advertised today three for a quarter."
 Stingo: "Very likely, but the upkeep makes them cost a lot in the end."

"I suppose you think I have a great many kicks," said the grumpy guest.
 "Not at all," replied the hotel clerk. "I know plenty of kicks you've never thought of."

Mr. Jerry, havn't I told you never to play with that tough Tommy Jones?"
 Jerry: "But we wasn't plain, me and was fightin'."

John had taken her riding in his auto, and just as he kissed her a tire blew out.
 "Ooh, Jack, dear," she said. "How lucky that we didn't stay home. Father is such a light sleeper."

A tramcar was going up a steep grade when the inspector boarded it. He asked the conductor, "What would you do if the car should run back?"
 The conductor hesitated, then said, "I would immediately change the destination sign on the car."

Sharp (leaving seashore hotel): "You've left something out of this bill, Mr. Grabb."
 Landlord: "Indeed! What?"
 Sharp: "You haven't charged us for last week's fine weather."

"Have you read the latest novel?"
 "I don't know how to answer," said Miss Cayenne. "If I say 'no' you'll think I'm behind the times and if I say 'yes' you'll think I have wretched taste."

An Utter Stranger.
 A man who had slipped in a few minutes late to a funeral was obviously nervous during the minister's eulogy of the departed. Finally, turning to a neighbor, he whispered:
 "Her, is this George Q. Billings' funeral?"
 "Certainly. Why?"
 "Well, that fellow the preacher's talking about wasn't Billings."

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The October Victor Records Are Here.

19738—By the Light of the Stars, with Mandola and Guitar
 Jim Miller-Charlie Farrell
 The King Isn't Kink Any More, with Mandola and Guitar
 Jim Miller-Charlie Farrell
 19737—Oh Say, Can I See You Tonight
 Billy Murray
 Ukulele, Baby, with mandola and Guitar
 Jim Miller-Charlie Farrell
 19739—I Married the Bootlegger's Daughter, with piano, Frank Crumit
 How's Your Folks and My Folks, with piano
 The Happiness Boys
 19744—The Farmer Took Another Load Away! Hay! Hay!, with mandola and guitar
 Jim Miller-Charlie Farrell
 Little Lady Lou, with violin, guitar and ukulele, Wanda Hall
 19747—When the Work's All Done This Fall, with guitar
 Carl T. Sprague
 Bad Companions (cowboy ballad) with guitar
 Carl T. Sprague
 19748—Dear Old Back Yard Days, with piano Bill Murray-Ed. Smalle
 It's Just That Feeling For Home, with piano
 Billy Murray-Ed Smalle
 19749—Sweet Little Mother of Mine
 Henry Burr
 Down Deep in an Irishman's Heart
 Sterling Trio

DANCE RECORDS

19763—I Miss My Swiss—Fox Trot, with vocal refrain
 Paul Whiteman and His Orchestra
 The Kinky Kids Parade—Fox trot, with vocal refrain.
 Paul Whiteman and His Orchestra
 19787—What a World This Would Be—Fox Trot, (from George White's "Scandals")
 Paul Whiteman and His Orchestra
 She's Got 'Em—Fox Trot—Fred Hamm and His Orchestra
 19745—Yes, Sir! That's My Baby—Fox Trot (with vocal refrain)
 Coon-Sanders Original Nighthawk Orchestra
 Sometime—Waltz
 Jack Shilkrut's Orchestra
 19746—Pooling—Fox Trot
 Meyer Davis' Le Paradis Band
 Are Lou Sorry?—Fox Trot
 Don Bestor and His Orchestra
 19750—Everything is Hotzy-Totzy Now—Fox Trot with vocal refrain
 Coon-Sanders Original Nighthawk Orchestra
 That's All There Is—Fox Trot, with vocal refrain
 Coon-Sanders Original Nighthawk Orchestra
 19751—Summer Nights—Fox Trot
 Don Bestor and His Orchestra
 19752—Funny—Waltz
 Jack Shilkrut's Orchestra
 Croon a Little Lullaby—Fox Trot, with vocal refrain
 International Novelty Orchestra
 19754—Hong Kong Dream Girl—Fox Trot with vocal refrain
 Coon-Sanders Original Nighthawk Orchestra
 Who Wouldn't Love You—Fox Trot, with vocal refrain
 Coon-Sanders Original Nighthawk Orchestra
 19756—The Promenade Walk—Fox Trot (from Artists and Models)
 Johnny Hamp's Kentucky Serenaders
 Cecilia—Fox Trot with vocal refrain
 Johnny Hamp's Kentucky Serenaders

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