

Col. William Mitchell Resigns Today From United States Army

Whether or Not the Resignation Will Be Accepted Has Not Yet Been Fully Developed.

DECISION RESTS WITH PRESIDENT

If Mitchell is Permitted to Quit Army He Will Accept Offer to Continue on Lecture Platform.

Washington, Jan. 27.—(AP)—Col. William Mitchell resigned today from the army.

The letter, dated today, was addressed to the adjutant general of the army through the commanding officer of the Washington district.

Whether the resignation will be accepted has not been fully developed. Some precedents indicate that in case of such withdrawals from the army it should be stated directly that the resignation is submitted "for the good of the service."

Final decision will rest with President Coolidge who two days ago approved with modification the sentence of the court martial, sustaining the court in sentencing the colonel to five years suspension but reducing somewhat the court's finding that he be without pay or allowances during that period.

It is the belief of Colonel Mitchell's friends that if he is permitted to step out of the army he will accept an offer to continue on the lecture platform, his crusade for a reorganization of the national defense to give a more prominent place to development of air power.

Should President Coolidge return the letter of resignation because of Colonel Mitchell's failure to say he is leaving "for the good of the service" there is considerable speculation as to where succeeding developments might lead.

It is the impression of the colonel's intimates that he would stubbornly resist any effort to put him in position of saying that the arms service would be improved by his withdrawal from them.

His parties also point out the right of the President to refuse to accept the resignation of an officer in peace time never has been tested in the courts.

Through precedents of many years standing, however, this right has come to be generally recognized and some of the war department officials believe it would survive the test of litigation, particularly in the case of an officer who is under sentence for insubordination and conduct prejudicial to good order and discipline.

These officials argue that Colonel Mitchell's supporters would be at a great disadvantage in making a test case in view of the fact that the colonel has long been a storm center in the army. Some years ago he engaged in a serious controversy with his superiors and last spring he was refused reappointment as assistant chief of the air service with the rank of brigadier general because officers over him regarded him as lacking in the ability to co-operate in carrying out military policies.

The case came to its climax, however, when he issued his statement at San Antonio last fall that the wreck of the dirigible Shenandoah was due to "almost treasonable" conduct of the aviation service.

A court martial after weeks of testifying found him guilty of all charges of breach of discipline, preferred against him and the sentence was approved by the war department board of review before it came to the President.

The resignation was announced today by Representative Frank R. Reed, of Illinois, chief counsel for Colonel Mitchell during the court martial. Neither he nor the colonel commented on the action which had been momentarily expected since the President approved the court's sentence with modification.

For the time being comment also was withheld both at the war department and the White House. It is expected, however, that a decision will be announced shortly.

The convicted officer under a sentence of five years suspension from its army because of his criticism of government aviation policy, put the resignation in this single sentence: "I hereby tender my resignation as an officer of the United States army to take effect February 1, 1926."

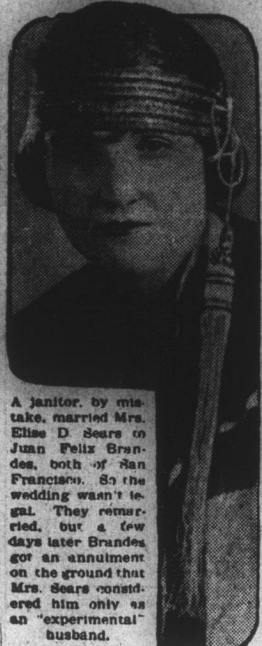
Lenoir Man Acquitted on Charge of Incest.

Kinston, Jan. 26.—Acquittal of Wiley Watson, charged with incest, in Superior Court here resulted from lack of evidence. Watson was free today after awaiting trial for several months. His daughter, for whose alleged disgrace Watson was arrested last fall, committed suicide following his indictment. Watson, a farmer residing in the Hill road section a few miles from here, denied the charges brought by county officers.

Prominent Salisbury Man Dies at County Home.

Salisbury, Jan. 26.—John W. Kerr, who for many years was a prominent citizen of Salisbury and for some time secretary to the late Charles Price, district attorney, died tonight at the county home, to which place he was taken last night after he had fallen on the courthouse steps. He had been in feeble health for some time.

Experiment



A janitor, by mistake, married Mrs. Elise D. Sears to Juan Felix Branda, both of San Francisco. The wedding was legal. They remarried, but a few days later Branda got an annulment on the ground that Mrs. Sears considered him only as an "experimental" husband.

GOV. SMITH SAVED FROM ATTACK FROM WORLD WAR VETERAN

Albany, N. Y., Jan. 27.—(AP)—The late arrival of Gov. Smith at the executive offices in the capitol today is believed by officials of the executive department to have saved him from an attack by a shell-shocked world war veteran seeking payment of his bonus, who penetrated the governor's private office before being stopped by attendants of the executive.

WANT TO STORE CANNED FRUIT IN WAREHOUSES

Ask That Warehouse Act Be Extended to Be Public Warehouses.

Raleigh, N. C., Jan. 27.—(AP)—Certain canners of fruits and vegetables have requested the United States Department of Agriculture to extend the federal warehouse act to public warehouses that store canned fruits and vegetables, the department has announced.

Whether or not this can be done will depend largely upon the interest shown and the demand made by the industry as a whole, the department says. Canners who have asked to have the warehouse act extended to canned fruits and vegetables, it is explained, believe such action would tend to stabilize prices by facilitating orderly marketing. They believe steadier markets would be created not only for the canned goods products, but also for the farmers' raw materials.

"Markets for canned fruits and vegetables have been more or less depressed at times," declared H. S. Yoke, in charge of the administration of the act, "due to inadequate financing of the large surplus and packs in recent years. The pack last year was one of the largest in the history of the canning industry."

THE COTTON MARKET

Market Showed a Tendency to Sag Again Today.

New York, Jan. 27.—(AP)—The cotton market showed a tendency to sag again early today. Liverpool made a fairly steady advance and the local market opened steady at unchanged prices to a decline of 4 points. Considerable trade buying which was attributed to price fixing was supplied on the initial figures and the market showed net losses of about 2 to 5 points at the end of the first hour. May selling at 19.44 and October at 19.07.

Fair business was reported early but much of it was in the way of switching from old to new crop months and price fluctuations were narrow enough to suggest a fairly even division of orders.

Private cables reported liquidation and hedge selling in Liverpool.

Cotton futures opened steady March 20.78; May 19.47; July 18.85; October 18.10; December 17.85.

PARIS REFUSES TO LENGTHEN THE SKIRTS

Undisturbed by the Report That New York Has Decried Them Longer.

Paris, Jan. 27.—(AP)—The Paris dress-making world refused to have its equanimity disturbed by reports that its New York brethren have decreed that skirts must be longer.

"If New York failed in the desperate attempt it made during the World War when we were handicapped in a thousand ways, to usurp the position of Paris, we see no reason to fear the present offensive," said one authority, "believe me, the Parisienne would remain the queen of fashion."

One Paris newspaper characterizes the alleged attempt of New York modistes to assume the dictatorship as an act of "outrageousness" and the dictionary describes the word as "audacity, presumption, overweening."

DEATH OF ROBERT STUART AT PINEHURST

Was Former Treasurer of the Quaker Oats Company.—Died of Heart Attack.

New York, January 27.—(AP)—The death of Robert Stuart, formerly treasurer of the Quaker Oats Company and father of John Stuart, president of the company, at his winter home at Pinehurst, N. C., was announced today at the offices of the Quaker Oats Company.

Mrs. Stuart died yesterday of heart attack. The body will be taken to Chicago tomorrow. Mr. Stuart had been ailing for several days and had gone to Pinehurst last week for his health.

Credit Granted Russia by Ford.
Moscow, Jan. 27.—The Soviet newspapers today announce the conclusion of a contract between the Soviet Government and the Ford Company for 12,000 tractors, on nine months' credit. The papers express astonishment over the news, declaring it a great Soviet achievement in the United States. They also voice satisfaction that the Ford Company demanded no guarantee on behalf of the Russian official institutions, but was satisfied with a mere agreement concluded with the Amtorg Trading Corporation.

Smith Honors Requisition to Send Hayes and Anderton Back to State

Albany, N. Y., Jan. 26.—Governor Smith today honored requisition papers from Governor McLean, of North Carolina, seeking extradition of Thos. H. Hayes, president and general manager, and Raymond J. Anderton, vice president and treasurer of the defendant Fisheries Products Company.

The defendants were indicted in Brunswick county, North Carolina, on charges of misrepresentation in sale of stock of the company and conspiracy.

Southern Gentlemen Will Also Be Named in Case.

Raleigh, Jan. 26.—Governor Al Smith's purpose to send back from New York Thos. H. Hayes and Raymond G. Anderton, president and treasurer of the Fisheries Products Company, to stand trial for false pretense and conspiracy to cheat and defraud, makes the way for the most interesting North Carolina case in a long time.

The Yanks, who are charged with lifting about \$7,000,000 of cash from North and South Carolinians, are by no means the only prominent individuals who are mixed up with the grandiose fraud, real or alleged. Some fine old southern gentlemen are down there in both states frightened half to death. The trial will not only bring out their names; it will drag them as defendants into the state courts.

Although these New Yorkers were rated more highly as slickers than their North Carolina brethren, it was the old hometown stuff that put the thing over. The roster of eminent Tar Heels who gave their support to what is alleged to be the greatest swindle in North Carolina's history, is fearfully and wonderfully made. Solicitor Woodus Kellum and J. C. B. Ehringhaus, who worked up the case, have the North Carolina men well numbered. But there have been no arrests or indictments against these Tar Heels.

There were many easterners who charged that they were swindled, but who believed honestly that because Governor Al Smith is a member of the Roman Catholic Church and Brothers Hayes and Anderton also are, there wasn't a chance to get these birds here. Everybody that knew Governor Smith had more faith in him than that, and the departments in Raleigh get the message that there wasn't a ghost of a chance for Hayes and Anderton to escape.

There is a \$6,000,000 federal suit against Hayes and his associates but it is purely civil. North Carolina hopes to have its criminal matter adjudicated before the civil case is tried.

SAYS KILLING WAS ACT OF SELF-DEFENSE

Zeb Darnell Testifies That Hinson Attacked Him.—Evidence in the Case Completed.

Charlotte, Jan. 26.—Zeb Darnell, prominent young farmer of the Pineville section, went on the witness stand in Superior court here and told a jury that he acted in self-defense when he shot and killed Joseph Hinson, 35, former postmaster at Pineville.

Trial of the case was started this afternoon and adjournment for the day saw all of the evidence before the jury. Argument of counsel will start tomorrow morning and a verdict is expected to be returned early in the afternoon.

Selection of a jury required but a few minutes after Darnell was brought to trial. Solicitor John G. Carpenter announced that he would not ask for a first degree murder verdict but is fighting for a verdict of murder in the second degree.

Darnell told the jury the trouble was started by Hinson, who struck him with his fist and was advancing to strike him again when he pulled his pistol and fired. A number of character witnesses were offered by whom Darnell was immediately acquitted after the shooting testified for the state. Joe Ardrey, who immediately after the shooting testified for the state, said that he had been at the "party" at Pink Morrow's home at which the fatal shooting took place, also was a state witness. He said he was so drunk that he knew little about what was going on.

GIRL SAYS WORLD KEPT HER DOWN

Amelia R. Martin, Formerly of Greensboro, Possible Suicide.

Philadelphia, Pa., Jan. 26.—Amelia A. Martin, 32, formerly of Greensboro, N. C., has been reported missing to police by Mrs. Catherine Ellis with whom she has been living here. Miss Martin left on Saturday noon, saying she would be a school teacher in Ocean City, N. J., Mrs. Ellis said.

Yesterday Mrs. Ellis received the following letter from Miss Martin: "When you get this I will be gone. You have been more than good to me but I cannot go any longer. I have tried and tried all my life to do right and the world with its cold, hard hand, has just kept me down."

"I cannot go on now. It is the end. My heart is just crushed. Remember me as the girl that you have found me to be. I am crushed and I cannot get up again. I will go away and die alone."

"Goodbye. Do not worry over me. My insurance will bury me."

Investigation revealed that there is no teacher in Ocean City by the name given by Miss Martin to Mrs. Ellis. Miss Martin was active in church work, being a choir singer and a Sunday school teacher in a West Philadelphia Baptist Church.

Aurora Borealis Trips It With Electricity.

New York, Jan. 26.—The Aurora Borealis kept up a ghost dance of telegraph wires over the entire country today and still was going strong tonight.

Constant interruptions from the arctic phenomenon were reported tonight on all wires out of New York as far west as San Francisco and south to New Orleans and into Texas. Interruptions were spasmodic but had been coming without cessation since shortly after 11 o'clock this morning. Veteran wire chiefs said the demonstrations penetrated farther into the south than had any other in the past 25 years.

The interruptions lasted from a few seconds to seven and eight minutes, during which the sounders ticked and jumped off flashes of weird as spook messages from the unwelcome visitor.

Osborne Wood Knows Nothing of the Charges Against Him.

Havana, Jan. 27.—(AP)—Osborne Wood, son of Major General Leonard Wood, at the Hotel Baltimore today, said he knew nothing of the charges against him of passing worthless checks in Florida and declared that he would go up immediately to Palm Beach to straighten out matters.

JOHN M. SLATON TO RUN FOR GOVERNOR AGAIN

His Commutation of Leo Frank's Death Sentence Roused Storm in Georgia.

Atlanta, Ga., Jan. 26.—John M. Slaton, twice governor of Georgia, whose commutation of the death sentence of Leo M. Frank in 1915 caused nationwide comment, will enter the coming race for governor only out of a "conviction of duty for public service," told the Associated Press relative to rumors that he will be a candidate.

Frank's conviction of the murder of Mary Phagan, a girl worker in the pencil factory of which he was superintendent, and the upholding of the sentence by the Supreme Court of the United States, was followed later by the commutation. Frank was taken from the State prison farm and lynched, and threats against Slaton caused him to call out State troops to preserve order.

At the end of his term Mr. Slaton and his family left the state for a time and since then he has been out of politics, but yesterday Mr. Slaton, commenting on the discussion of his candidacy, said that many friends and several "influential newspapers" in the state have insisted that he run for governor again. "All such pressure," he added, "is without suggestion or encouragement on my part."

CHARGED WITH CRIME AGAINST YOUNG GIRL

Charlotte Boy Bound Over to Next Term of Mecklenburg Court.

Charlotte, Jan. 25.—Knox Brown, 16-year-old white youth of Chadwick-Hoskins Mill, arrested here several days ago, charged with abusing a 12-year-old girl, Jessie May Hicks, of Charlotte, was held for a higher court today by Magistrate Mangum. The hearing was held behind closed doors. The magistrate remanded the boy to jail until the next term of criminal court.

Zeb Darnell, Mecklenburg county man, will be arraigned Tuesday in Superior court on the charge of murdering Joseph P. Hinson, postmaster at Pineville, in a brawl last Thanksgiving night.

Cases against Dr. C. S. Britt and Buford Robertson, both of Charlotte, charged with manslaughter in connection with the killing of Miss Ruby Helms, of 130 Sylvania avenue, in an automobile accident, will be called for trial when court convenes Wednesday.

YOUTH GETS FREE RIDE USING PISTOL

Taxi Driver Compelled to Drive a Young Man to Greensboro.

Greensboro, Jan. 26.—J. H. Smith, Danville taxi driver, was compelled by a youth about 18 years of age with a pistol to drive him to Greensboro this morning and was robbed of his pocketbook and watch. Smith reported to the police here, said that he was approached by the youth and hired to make the trip to Schoolfield, Va. The boy sat in the rear seat. At Schoolfield he thrust a pistol in Smith's back and ordered him to drive to Greensboro. They passed through several towns, among them Reidsville, with the youth pressing the muzzle of the gun against Smith.

Near the Proximity Mill here on the edge of the city, the young fellow alighted from the car and told Smith to drive on.

Smith returned to the city and reported the matter to the police. The boy is being sought by the police.

With Our Advertisers.

The station sale at W. C. Correll's Jewelry Store will close next Saturday night. Sales at 2:30 and 7:30 each day. Free valuable prizes at every sale.

Buck's improved oil range—no smoke, no ashes to take out. Sold by the Concord Furniture Co. on a positive guarantee to cut your fuel bill in half.

Phone the Sanitary Grocery Co. for anything in canned goods. See new ad today.

Watch for the opening announcement of the millinery department of Robinson's.

Take advantage of the safeguards the Citizens Bank and Trust Co. offers as your executor or trustee.

Eyeglasses enable about 50 per cent. of our business and professional men to continue working after middle age has been reached.

She's Holding a \$5000 Book



Miss Ruth Kramer of Cincinnati is holding a book that cost \$5000—a copy of Tennyson's "Holy Grail," owned by John G. Kidd, finished in a French Levant binding, with a hand-carved and embossed cover that is set with 28 precious stones. All the pages in the book are hand-lettered.

NO DOGS AND SLEDGES IN WILKINS' FLIGHT TO ARCTIC

Expects to Disprove That the Dog Is "King of the Arctic."

Detroit, Jan. 26.—(AP)—The contention of Captain Donald MacMillan that "the dog still is king of the Arctic," is one of the things Captain George H. Wilkins, aviator, explorer and photographer, expects to disprove when he takes off in March from Point Barrow, Alaska, on an aerial dash into the unexplored regions of the Arctic basin.

Confidence in his ability to "live off the ice" is responsible for Captain Wilkins' decision to make the expedition the lightest equipped that ever essayed a journey into the Arctic basin. Where others have taken sledges, dogs, huge food supplies and other paraphernalia, the Wilkins party will carry gasoline, the latest navigation instruments, sun compass, rifles, ammunition, a supply of food and a "nigisk."

The last named instrument is closely related to the food supply, for it is the means of retrieving seal shot to replenish the Polar barrel. Literally, it is a set of hooks at the end of a rope. "Living off the ice," in Captain Wilkins' estimation is a simple procedure, so simple, that his supply of concentrated food will be sufficient for less than a week.

What he hopes to prove is the existence of land in the vast unexplored area from Siberia and Alaska toward the "top of the world."

A point 800 miles distant in a straight line will be the first objective of the expedition when the members on two Fokker monoplanes hop off from Point Barrow. It is here, at 83.50 North and 160 degrees west, that science has established the location of the so-called Lee Pole, or Pole of Relative Inaccessibility.

The second objective point in the flight will be the landing, homeward bound, at Spitzbergen, 2,100 miles from the take-off at Point Barrow. This will take the expedition as its flight has been mapped, across the Geographical Pole.

Should land be sighted on the dash from Point Barrow to the Ice Pole, Captain Wilkins proposes not to land, but to turn about and return to his Alaskan base, there report his discovery and with a second plane go back to the discovered land. Claiming it for the United States, Captain Wilkins and his party will explore and chart the new land and then proceed to Spitzbergen.

Failing to sight land on the initial dash, Captain Wilkins will essay a 2,100 mile non-stop flight over the Geographical Pole to Spitzbergen.

New College Buildings Are Now Taking Shape

Greensboro, Jan. 27.—The new auditorium and the new education building, started last fall at North Carolina College, are gradually taking shape, although the work has of late been slow because of bad weather. The walls of both structures are now rising and the big job of handling the steel has started at the auditorium.

According to expectation, the education building will be finished first, probably in time for the building to be used in the fall.

The auditorium will represent an expenditure of about \$400,000 when it is finished, and the education building will cost about \$250,000. The two structures were started as a result of the appropriation of \$650,000 by the last general assembly to be used for building purposes. The main auditorium will seat about 2700 people when it is finished. The education building will be the home of the training school, which now occupies Curry building.

Pennay Did Not Increase Dividend Rate.

Philadelphia, Jan. 27.—(AP)—Reports that the Pennsylvania Railroad might increase its dividend rate proved untrue today when the regular quarterly dividend of 1 1/2 per cent. was declared.

THE JURY FAILS TO AGREE ON THE TRIAL OF CASE AT MONROE

Was Charged With Murder of Frank Fowler, Her "Unwedded Husband," in Union County Court.

JURY WAS OUT NINETEEN HOURS

Indications Are That Solicitor Will Present the Case Again to Jury at This Term of Court.

Monroe, N. C., Jan. 27.—(AP)—A mistrial was declared today in the case of Bertha Case, alias Mrs. Bertha Fowler, charged with the murder of Frank Fowler, "unwedded husband," Judge Stuck dismissed the jury at 11:40 a. m. after they deliberated since 4:30 yesterday afternoon.

Indications were that the solicitor would again present the case to a jury, possibly at this term of court. The woman told the jury that she shot and fatally wounded Fowler last winter, following a quarrel during which he threatened her life.

Fowler, at a hospital, requested that she be not prosecuted and left his estate to a son by the woman, who is 23 years old. Fowler was married to another woman at the time he lived with Bertha Case.

A brother of Fowler had testified, however, that the woman did not kill in defense of her life and child as she said.

SUMMER SCHOOL AT NORTH CAROLINA COLLEGE

To Offer Regular College Credit to Primary, Grammar Grade and High School Teachers.

Greensboro, N. C., Jan. 27.—(AP)—Instruction was provided last year by the two summer sessions of the North Carolina College to 1910 teachers and college students. And this year the college management expects to furnish instruction to a somewhat larger group than that which lived on the campus last summer.

Enrollment in the summer sessions up to this time has shown not only a remarkable, but a consistently steady growth. In 1919, the enrollment for the one session held at that time was 207. In 1922, the first summer session showed an enrollment of 1081. The two sessions of that year brought the service of the institution to 1,339 teachers and students of college rank. In 1924, the total enrollment for the two sessions was 1,600, and last year over 300 more students received instruction than during the summer before.

The summer sessions of the present year, which are dated from June 14 to July 24, and from July 25 to September 3, will offer regular college credit for professional work to primary, grammar grade and high school teachers.

Last year students were enrolled from Alabama, Florida, Georgia, Indiana, Missouri, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, D. C., and China. This year the management hopes to see the college have an even wider influence through the work of the summer departments.

State Supreme Court Adjourns

Raleigh, N. C., Jan. 27.—(AP)—The North Carolina Supreme Court adjourned sine die this morning. Before adjourning, however, the court handed down a group of 28 decisions on cases argued before it during the fall term. The court will convene for the spring term next Tuesday.

Blot on Sun Observed.

Danville, Va., Jan. 26.—The appearance of an unusually distinct blot on the surface of the sun was visible here at 11:30 o'clock today when the orb was viewed through a heavily smoked glass. The black dot appeared pronounced on the top right hand corner.

Horse of Prince of Wales Drops Dead Under Him.

London, Jan. 27.—(AP)—The Prince of Wales, horse dropped dead under him today while the prince was hunting at Melton-Mowbray with Belvoir hounds. The Prince was not injured.

Sole leather stuffed with greases wears 20 per cent. longer than the same type of leather before treatment, tests by the U. S. Bureau of Standards shows.

Charles H. Gilbert, professor of zoology at Stanford University, has discovered that the scales of a fish show its approximate age.

SAT'S BEAR SAYS

Partly cloudy tonight and Thursday; moderate to fresh north winds.