

### INSANITY PLEA TO BE USED FOR VAN DYKE BY ATTORNEYS

Will Argue to Jury That Slayer of the Officer Was Insane at the Time of the Deed.

### MOTHER DIED AT MORGANTON

Van Dye Claims He Was Gassed in France.—The Court Room Is Packed During the Trial.

Gastonia, March 11.—(AP)—Defense counsel for Jesse Van Dye, 25, on trial for the life in superior court here before Judge C. C. Lyon, of Elizabethtown, will argue to the jury late today that the defendant was temporarily insane at the time of the killing of Chief A. L. Painter, of Cherryville on January 14th.

Van Dye claims he was gassed while with the A. E. F. during the world war, and underwent treatment in an army hospital for five months. It is also stated that Van Dye's mother was insane and died in the State Hospital at Morganton.

The state finished with the evidence this morning. Two witnesses, Loring Hord and A. B. Swentt, of Cherryville young men, were called from Florida to testify.

Despite the inclement weather, the court house was again packed beyond standing room by spectators. Judge Lyon called for order frequently.

Arguments by Counsel Started. Gastonia, March 11.—(AP)—Closing its case before two star witnesses, Loring Hord and A. B. Swentt, Cherryville young men, failed to arrive in time from Florida to testify, the state rested in the Van Dye murder trial here this morning at 11:37 o'clock.

Like a bolt from a clear sky, attorneys for Van Dye announced they would rest, not putting a single witness on the stand in the young meat-cutter's behalf.

Former state Senator Carl Carpenter opened the argument for the defense. He asked the jury for a verdict of manslaughter, and nothing more.

This afternoon Mr. Carpenter will be followed by Matthew Stang, State Senator E. B. Butler, A. E. Woltz, and Solicitor John Carpenter, all four for the state. Clyde Hoey will close for the defense. The case will probably get to the jury at 6 o'clock tonight.

### THE COTTON MARKET

Opened Steady at Unchanged Prices to Decline of 8 Points.—May Off to 18.52.

New York, March 11.—(AP)—The cotton market opened steady today at unchanged prices to a decline of 8 points with near months relatively easy under selling promoted by lower Liverpool cables and unfavorable reports from the cotton goods markets.

May sold off to 18.52 and October to 17.24 during the first few minutes, but there was considerable covering at these figures and some trade buying in six prices in the old crop months.

Selling of new crop was probably checked by reports of rains in the south which were considered likely to delay farm work, particularly in the eastern belt and prices steadied up after opening. May rallied to 17.63 and October to 17.30 the market ruling net unchanged to 3 points lower at the end of the first hour.

Cotton futures opened steady: May 18.62; July 17.95; October 17.24; December 16.94; January 16.94.

With Our Advertisers. Effective March 10th, the prices of the Hudson and Essex cars was cut as follows: Essex six coach \$854, Hudson coach \$1,299; Hudson brougham \$1,554, Hudson seven-passenger sedan \$1,795. All prices f. o. b. Concord, including all charges.

Read about the multiple disc—all clutch of the Ford car in the new ad today of the Reid Motor Co.

A new face in The Tribune's advertising columns today is that of the Cabarus Creamery Company, purveyors of pasteurized milk. Phone 292.

The financial counsel offered by the Citizens Bank and Trust Company will prove helpful to you.

The special sale of gat hot water heaters by the Concord and Kannapolis Gas Co. will close March 20th. Special price, \$22, with 75 cents down and \$2 a month.

Don't fool with the mail order houses when you want a good tree—go to the York & Wadsworth Co., and let them fit you up with a Goodyear.

Reza Shah, the new ruler of Persia, is a wonderful pianist.

### FRANCE'S TALKING AGAIN ABOUT DEBT TO THIS COUNTRY

Has Reopened Discussion With United States For Settlement of the Big War Debt.

### ITALIAN PLAN BEING WATCHED

If It Is Accepted by Congress Then New Plan For France Will Be Devised Soon.

Washington, March 11.—(AP)—France has reopened discussions with this country for settlement of her \$4,000,000,000 war debt.

Ambassador Berenger, the newly appointed French envoy here, has been in conversation on the subject with Secretary Mellon.

While the secretary declined to discuss the negotiations today it was disclosed that he had advised President Coolidge that settlement of the French debt hinges to some extent upon the action of Congress on the Italian agreement now under fire in the Senate.

It is believed therefore that the French negotiations will not be hastened until the Senate acts upon the pending debt pact.

The French debt is the largest remaining to be settled by the debt commission. Several ineffectual efforts to make a funding agreement have taken place since the close of the World War.

### CHARLES J. SUTTON PASSES AT CHARLOTTE

Mrs. A. P. Phifer, of Marshville, Dies in Hospital—Negro Woman Murdered.

Charlotte, March 10.—Charles J. Sutton, aged 55, formerly a well known business man of DeFuniak Springs, Fla., but who has lived in Charlotte for the past several years, died late tonight at the home of a daughter, Mrs. E. L. Shealey, on North Church street.

Funeral services will be held tomorrow with Dr. Luther Little, pastor of the First Baptist church, officiating. Mr. Sutton is survived by his widow, a son, E. H. Sutton, of this city, and a daughter, Mrs. Shealey.

A dramatic tournament for the championship of western North Carolina will be held here Friday night with dramatic clubs from high schools of Charlotte, Asheville and Winston-Salem taking part.

The winners in the tournament will go to Chapel Hill to compete with eastern Carolina winners for state honors.

Mrs. A. P. Phifer, 50, of Marshville, died early this morning at a local hospital where she had been under treatment for two days. The body was taken to Marshville this morning and funeral services will be held there some time tomorrow.

Mrs. Phifer is survived by a son, Heath Phifer, and a daughter, Mrs. J. L. Bivens, of Marshville.

John Davis, negro, was being sought by the police today on a murder charge following the killing of Ella Wilson, negro woman, who was shot to death early this morning at a card game in the negro section.

Davis is said to have walked into the house, shot the woman and walked out. In a short time he returned to the house to see if the woman was dead. He then drove off in an automobile and the police have been unable to find him.

### COLLEGE BUILDING IS BURNED DOWN

Training School at N. C. C. W. totally Destroyed Yesterday.

Greensboro, Mar. 10.—Fire starting at 4 o'clock this afternoon destroyed the training school building on the North Carolina College for women campus here, with loss of valuable records of the dean of education and director of the summer school of the college, in addition to the \$100,000 building going up in smoke.

In the building when the fire was discovered were about 50 persons, including 45 pupils, children who attend the school. Their teachers calmly marched them out of the building, in actual fire drill, the children moving out without a semblance of panic.

The blaze was found at 4 o'clock. At 5:15 two of the walls had fallen in and the structure was a roaring furnace. All the fire-fighting equipment of the city was called to the blaze, but it had gained such headway that it could not be checked.

Standing almost in the center of the campus, the building was a menace as it burned to others, but fortunately the fierce winds of March had abated somewhat this afternoon, and the firemen protected other buildings, none of which caught fire.

## "Wets" Ahead On First 60,000 Votes; Interest Grips Nation

Tabulation of the first returns in the nation-wide prohibition referendum conducted by NEA Service and The Tribune shows the "wet" sentiment getting away to a substantial lead.

This is, perhaps, to be expected. The returns received at the Cleveland office of NEA Service thus far are incomplete and scattering. A large percentage of them comes from admittedly anti-prohibition centers, and many "dry" strongholds have not been heard from. These first day figures can in no sense be accepted as final, as later returns may bring about a complete overturn.

There have been 50,075 votes received by NEA Service thus far. These are divided as follows: For the present prohibition law—10,320.

For repeal of the prohibition law—27,943. A modification of the law so as to allow light wines and beer—20,912. The percentage to date, accordingly, is nearly five to one against the present statute.

The returns come from fourteen states in all parts of the country. In some cities leaders of prohibition and anti-prohibition forces are making house to house canvasses to get out the vote. In other places, factories and offices are being polled. Ministers have urged their congregations to vote; editors report that citizens are coming to their newspaper offices to get ballots.

A strict check is being kept in every newspaper office to see that no "repeat" votes are cast. Every effort is being made to see to it that this big referendum is as accurate a representation of the people's will as is humanly possible.

For that is the only reason the vote is being taken. Neither the editors of NEA Service nor this paper have any axe to grind. A clear expression of the nation's sentiment, whatever that may be, is all that is sought.

Above all, it is important that these first figures be not accepted as final, any sense. Only 17 cities out of hundreds have reported; most of their figures are incomplete.

As a rule—though not universally the votes thus far received at the main office of NEA Service are from the larger cities, where the anti-prohibition sentiment is strongest. Hence today's figures must not be taken as indicative of the feeling of the nation.

It will be two weeks before final results can be announced. They will be presented to you first in this paper. Meanwhile, if you haven't voted yet—vote!

### A NEW ORGANIC CHEMICAL IS FOUND

University of Illinois Professor Discovers Rare Element Which is Known as No. 61.

Urbana, Ill., March 10.—Nearly 20 years of research in the "rare earth" group of the chemical field finally has resulted in the discovery of one of the five unknown, but supposedly existent elements which make up all known compounds.

The discovery, the first ever made in America, was announced today by the University of Illinois.

It was the work of Dr. B. S. Hopkins, professor of inorganic chemistry, assisted by L. F. Yntema and J. A. Harris, of his staff.

The new element is known as No. 61. No name ever has been suggested for it.

In the list of 92 known and unknown elements on the earth a place has been saved for an unknown element between No. 60, neodymium, and No. 62, samarium.

Previously the newest element was hafnium, discovery of which was announced in Copenhagen in 1923. That announcement created great interest, but the element has remained comparatively little known.

When No. 61, which is of metallic nature, may prove of high value commercially or otherwise has not been predicted. It may prove to be exceedingly scarce—however, since only one-half ounce remained of the original 400 pounds of "rare earth" material used by the researchers.

No. 61 may remain in the only chemical element discovered in America because the other four unknown elements are the objects of very definite researches in other parts of the world.

Every known element may be made to produce X-rays which affect photographic plate in a definite manner and it is possible by using the X-ray to tell exactly what element is being examined. Especially constructed X-ray machinery was designed and manufactured on the campus of the University of Illinois.

"The rare earth group is a very complex group of chemical elements which resemble each other very closely and whose separation is accompanied with great difficulty," said Dr. Hopkins.

"Rare earth ores are not scarce and some of the rare earth elements are relatively common, but in general these elements are very little known."

### FIVE STATES COVERED WITH SNOW DURING DAY

Virginia, North Carolina, South Carolina, Georgia and Tennessee Report Snow.

By the Associated Press, March 11.—The Blue Ridge Mountains of Virginia, North Carolina, South Carolina, eastern Tennessee and northern Georgia were blanketed with snow today.

### Sues Mother-in-Law for \$100,000

Lorraine L. Kane, former understudy in "Abie's Irish Rose," has sued her mother-in-law, Mrs. Estella C. Stroud of Pittsburgh, for \$100,000, charging she alienated her husband's affections.



Shipping Board Will Retain Present Powers

Change Not Likely to Make Any Impact at Present Session, President Hears.

Washington, March 11.—(AP)—President Coolidge was told by Senator McNary, Republican, of Oregon, today there was little prospect of action by Congress at this session of legislation to curtail the powers of the shipping board and place operation of the merchant fleet under a single executive.

Mr. McNary, who is a member of the Senate commerce committee which has jurisdiction over such legislation, was opposed to reporting a bill to carry out such a program as recommended by the President.

Senator Edge, Republican, of New Jersey, who is a commerce committee member, called up the White House and likewise expressed the view that the action favored by the President was improvable.

### CITY AUTO TAX OF \$5 IS DECLARED INVALID

Ordinance Contradicts Statute Which Fixes Amount of Municipal Levy.

Raleigh, March 10.—The New Bern automobile tax ordinance today was held invalid by the State supreme court. The ordinance imposed a city tax of five dollars upon automobile owners which the court held was in contradiction to the statute which provides that no such municipal tax shall exceed one dollar.

The case came up on an appeal by the state. Z. V. Jones was convicted of violation of the ordinance and Judge Albion Dunn held the law invalid. The state appealed to the higher court.

In making its decision the court points out that the tax is clearly one upon automobiles, since it is levied upon the owner of a car, rather than a driver's license fee, and therefore is invalid.

### De Vaiera Resigns.

Dublin, March 11.—(AP)—Eamonn de Vaiera, Irish republican leader, has resigned the presidency of the Sinn Fein following rejection by the assembly of his motion favoring republican representation in the Dail Eireann and Ulster parliament.

### Great Interest Everywhere in the Work of Duke University at Durham

By R. P. Harris. Durham, March 11.—Dr. William Preston Few, president of Duke University, returned home a short time ago, after an extensive trip to the larger educational institutions in the North, East, and Middle West filled with renewed enthusiasm over the future growth of "the world's wealthiest educational institution."

One of his first remarks, in an interview shortly after his arrival at Duke, was to the effect that interest in the mammoth undertaking as marked in the big educational centers as it is in his own North Carolina.

"I found," President Few said, "that the people of Boston and New York and Chicago are just as interested and just as enthusiastic as are the people of Greensboro or Raleigh, or Winston-Salem, or Charlotte, or even Durham. Everywhere I traveled, wherever I was entertained, I was literally bothered with questions concerning future developments." He admitted that he had not spent a more pleasant three weeks in many years.

Dr. Few stated that he believes that to be able to start with a "clean slate," unhampered by restrictions or prejudices, will prove a great drawing card for prominent men in all branches of education who are looking for the chance to be given free rein with ample financial and moral backing and with all possible resources and equipment. And although he did not mention any names, he intimated that only recognized leaders in thought and achievement are being secured by the university.

"We are living in a new era, one of great material prosperity," President Few said, "and there never was a greater opportunity for an educational institution of wide scope and power. The Old South has never had a really great endowed university before. And in addition to this material growth must come a growth in thought and a falling away of the old provincialisms and prejudices." He further stated that it is his hope to see idealism fostered, rather than gross materialism, and that all that is best of the Old South may be preserved in the new civilization.

In a written statement concerning his trip, President Few states the following: "I have had to go away from home to get a full sense of the opportunity and responsibility that have come to us here. Three weeks contacts with a half-dozen and more of the important centers of education in this country have convinced me that many enlightened Americans look upon the chance to build a strong endowed university in the Old South as the outstanding educational event in the world today. It is but the sober truth to say that in the circles in which I moved the interest in the future growth of 'the world's wealthiest educational institution' is just as keen as intelligent in distant cities, like Boston and Chicago as in cities of North Carolina."

"There is a new interest in the South and a distinct trend of Northern people toward the South. The Florida boom and the material progress of other Southern states, notably our own North Carolina, are signs that the new day of the American South is at hand. The natural interest in the building and founding of a university is enhanced by this striking tendency so manifest in this country today."

"The educators realize that it is possible to build up a new university without the limitations of traditions which are so hampering the old universities. The chance to start with a clean slate makes a strong appeal to men of vision to whom it would like to have a part in building a new school, a medical school, or other school, just as they think a school should be built and can be built when resources are available and the 'dead hand' is removed."

"Again, there are many who believe it well within the range of possibility that the best rallying ground for idealism may after all be in the South. But this will require the keeping of the fine things in the new Southern civilization along with the benefits of a growing material prosperity. And an endowed university, enlightened enough to maintain the highest standards of excellence and strong enough to withstand the gusts of unwisdom that inevitably arise in a democracy, will have a contribution to make to Southern civilization and perhaps to American civilization. Hence the widespread interest over this country in the building and founding of an endowed university on the soil of the Old South."

### BRIAND RETURNS TO MID DELEGATES AT GENEVA CONFERENCE

Doing All He Can to Prevent the Council Reconstruction Crisis From Wrecking the League.

### GERMAN REQUEST GETS APPROVAL

Committee Votes to Give Germany Membership in League.—Many Problems Not Settled.

Geneva, March 11.—(AP)—Premier Briand was back in Paris in an active consultation with the other leaders today in an effort to prevent the council reconstruction crisis from wrecking the league of nations. The outstanding development this forenoon was the unanimous adoption by the council's full political committee of the sub-committee's report recommending Germany's admission to the league.

In adoption of the sub-committee's report the assembly's political committee smashed precedent by renouncing the right to convoke representatives of the German delegation to give information concerning Germany's international status in her desire sincerely to conform with her international obligations.

Renunciation of this privilege prevented further complication of the delicate situation as it was realized that the German leaders in view of the uncertainty over the council membership question might well decline to send delegates before the committee.

Briand arrived at 9:15 a. m. and immediately conferred with M. Paul-Boncour and Louis Loucheur, of the French delegation, who described for him the developments of the council controversy since his departure for Paris to adjust the French ministerial crisis.

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### TEXTILE PLANTS TO BE AUCTIONED

Court Orders Sale of Four of Mecklenburg Mills.

Greensboro, March 10.—An order providing for the sale at auction of the four cotton mills of the Mecklenburg Mills company was filed in the federal district court clerk's office here today, the order being made by Judge E. Yates Webb, of Shelby, judge of the western North Carolina district.

The sale will be held at Newton on a day to be set by the special master, who is also named in the order. He is Sidney S. Alderman, an attorney of this city. The property to be sold consists of the Mecklenburg Mills, at Charlotte, Newton and Clyde Mills, at Newton, and Nancy Mills, at Tuckertown, Montgomery county.

It is provided that no bid be received for less than \$250,000.

The property will be sold to satisfy the bond holders, represented by the Coal and Iron National bank, of New York. The amount due the bond holders, who were secured by a deed of trust on the properties of the mills company, is \$610,802.

The bonds were sold April 1, 1922. The mill's company went bankrupt October 17, 1923.

J. D. Norwood, formerly of Salisbury, now of Birmingham, Ala., was president of the Mecklenburg Mills company. He was tried in federal court here last December on a charge of violation of the national banking laws and sentenced to serve three years in the federal prison at Atlanta. He has appealed from the sentence and the appeal is pending.

He was chairman of the board of directors of the Peoples National Bank of Salisbury, when it was closed in June, 1923, and much paper of the Mecklenburg Mills company was found in the bank.

### Tunney-Stribling Match Cancelled

Miami, Fla., March 11.—(AP)—The match between Jesse Tunney and Young Stribling for Friday night was declared off today.

Tunney's manager, Billy Gibson, announced that the match was off, saying he would not let Tunney take part because he said the promoters had been unable to meet their advance obligations by March 1st, according to contract, and he saw no hope of obtaining the stipulated money.

Perhaps the longest will on record is that of an English woman which contained 95,940 words and made four large volumes. The shortest will on record was written on the back of a sailor's identity check.

### SAT'S BEAR SAYS!



Cloudy with rain and colder in the east portion tonight; Friday partly cloudy. Fresh to strong northeast winds on Friday.

Lon Chaney —IN— "THE BLACK BIRD" —AT THE— Concord Theatre TODAY AND FRIDAY