

MOVE TO ENFORCE N. R. A. CODE IN CITY

Declare Fogleman Not Guilty Of Murder

WARD SENT TO BRINGH A US' OFFICE, SAID

Known if Governor Received Message From Gastonia Lawyer

WASHED TO HIM JUST BEFORE CHAIR DEATH

GASTONIA, Aug. 5.—(UP)—J. Durham, prominent attorney, announced here today that 25 minutes before Olin Fogleman was executed yesterday for the murder of W. J. Carter, Rockingham county filling station operator, he had advised the office of Governor Ehringhaus that he could not say whether Ehringhaus got the message.

RALEIGH, Aug. 5.—(Special).—Action against the death penalty has begun as a reaction from the execution yesterday of Olin Fogleman, Rockingham county filling station operator, who was convicted of the murder of W. J. Carter, operator of a filling station.

Mrs. Glidewell and Glenn of Hendersonville, who defended the prisoner in the court trial and received with him until he was dead, are taking the lead in the fight to have the death penalty abolished in the state.

Strangely enough, the only person who ever has left a record of opposition to the death penalty was Fogleman. Most of its opponents have believed in it, in fact that they practiced it in some of the various ways have had something to do with their feeling. Many of them have declared their belief in it and particularly as it applied to their own cases. Fogleman called it "un-Christian."

The greatest agitation that ever came from an individual case came when J. Tom Harris was hanged in 1912 when a Mason and his wife were made any statement about his case, but there was no record of his guilt. Eye testimony was available and used. But Fogleman's conviction rested on the testimony of a terrified woman whose identification of the prisoner lacked much of absolute certainty. And Fogleman within a few seconds of his death reiterated his absolute innocence.

Mercury Vapor Lamp Perfected

Former Fruitland Student Worked on Project

A news dispatch from Cincinnati says that a new kind of lamp has been perfected at the University of Cincinnati by two scientists, Isay Balinkin and D. A. Wells. It is described as a "rosy-red mercury vapor lamp" and it is said that it will be a great contribution to more efficient illumination. This invention is of local interest on account of the fact that D. A. Wells is a native of Hendersonville in 1916. He is remembered as a student there by B. Sinclair, who was a member of the Fruitland faculty that year.

Doyle's Shop on 4th Ave. Robbed

and Tax Money Are Taken; Stock Untouched

Doyle's shop on Fourth Avenue was entered last night and a sum of money taken. Entrance was gained through the front door by use of a key lost some time ago or by picking the lock. Approximately \$10 in cash was taken and an uncounted sum of money kept apart from receipts was also taken. Contents of the office desk were rifled but none of the stock was touched. The robbery was being investigated by the police department.

Hestley Stepp Ends Life By Shot In Head

Body of Building and Loan Association Officer Found in Locked Room of Bank Building; Had Complained of Bad Health

Ends Own Life



HESTLEY A. STEPP

Hestley A. Stepp, age 47, secretary-treasurer of the Laborers Building and Loan Association, committed suicide about 12 o'clock noon today in the toilet room of the State Trust company by shooting himself in the head with a .32-calibre Smith & Wesson revolver. The body was discovered by Bruce A. Cox, who was called to open the door which was locked on the inside. When Mr. Cox entered the room he found the body lying on its back on the floor and the pistol nearby. Officials of the bank stated that they were all very busy incident to the noon closing hour when Mr. Stepp entered the building. Frank Edwards, who was in the bank at the time, told bank employees that he heard a noise, but little attention was paid to it at the time.

Later the door was found to be locked and when no response was obtained from Mr. Stepp, Mr. Cox, an expert locksmith, was called to open the door. Mr. Stepp was a native of Henderson county and spent most of his life here. He was a son of Mr. and Mrs. R. K. Stepp. He first became connected with the Building and Loan association in 1910 when it was associated with the old Wantaska Bank, and about five years later was elected to the position which he held at the time of his death.

He was active in the civic and business life of the community, being a member of the Kiwanis club and a former director, a former director of the First Bank & Trust Co., and a member of the Masonic lodge. He is survived by his father and mother, his widow and two children in his immediate family. Mr. Stepp complained to friends last night that he had not been feeling well, and this was advanced as a probable reason for his act.

PITCHED FIGHT IN KENTUCKY INJURES TWO

Over 500 Shots Fired From Under Cover Before Election Day

HARLAN, Ky., Aug. 5. (UP)—Rival political factions engaged in a pitched battle at at precinct headquarters of Harlan county early today, shortly before the national guardsmen arrived to supervise today's Republican county primary. Over 500 shots were fired, with one faction under cover of a commissary erected for militiamen and others behind concrete abutments nearby. One person had his finger shot off, another suffered a bad eye injury from which he may lose his sight when a stick of dynamite tied to a lump of coal exploded near here. Intermittent fighting ended when state troopers arrived shortly before 6 a. m., when the polls opened. The men had been firing almost since 3 a. m. When Theodore Middleton, candidate for sheriff and three of his men came to the commissary he said he would work at the election as per the agreement that both sides had representatives. Middleton said T. M. Gibson, superintendent of the R. C. Tway coal camp, the polling place, and Gibson's men opened fire on him and his men when they approached. Middleton returned the fire of Gibson's men in the commissary. Soldiers disarmed all the men, carried Gibson and Middleton to Harlan where Adjutant General Denhardt dismissed them after they promised not to disturb the peace again and refused to swear out warrants against each other.

TOOMER GOES TO NATIONAL AMATEUR MEET

Will Represent Local Golf Club in Atlanta Net Tuesday

Jack Toomer, semi-finalist in the southern amateur golf tournament, will represent the Hendersonville Golf and Country club in the elimination round of the national amateur which will be played at Atlanta on August 8. Toomer will be one of 11 golfers to play in the elimination round and three of the players will qualify for the national amateur. The elimination round will consist of 36 holes to be played over the course of the Atlanta Athletic Club course. The 11 players to enter the elimination round are Charles R. Yates, Berrien Moore, Jr., Dan G. Sage, Jr., George Harris, M. G. Smith, Charles H. Black, Jr., and David G. Black, all of Atlanta, Billy McWilliams, Rome, Ga., Jack Toomer, Hendersonville, Carl Dann, Jr., Orlando, Fla., Mark A. Pollack, Jr., Havana.

Arrest Made in Tear Gassing of Stock Exchange

NEW YORK, Aug. 5. (UP)—Eugene Daniels, Jr., 32, broad-shouldered, prosperous appearing Harvard graduate and lawyer, was formally arrested today, charged with waging two tear gas bombs in the ventilating system of the New York Stock Exchange system yesterday, causing suspension of trading for the rest of the day. He was taken into custody at the St. Paul Hotel after questioning by the police. His arrest was ordered by Inspector John Lyons.

Baptist Pastors To Meet Monday

Organizing of Dry Forces Anticipated Then

The Ministers' Conference of the Carolina Baptist association will meet on Monday morning, August 7, at 10 o'clock at the First Baptist church. It is the hope of the conference to organize the dry forces of the association at this meeting.

INDUSTRIAL HARMONY FOR NATION URGED

Roosevelt Backs Administration Appeal for End of Strife

ADJUSTMENT BODY SET UP IN CAPITAL

WASHINGTON, Aug. 5. (UP)—The national recovery administration today threw its weight against industrial discord during the recovery emergency, in line with President Roosevelt's moratorium on strikes and lock-outs. Averting peril to the recovery program which was presented by the Pennsylvania coal strike in which a temporary truce was named last night, the NRA created a special labor and industrial board, headed by Senator Robert F. Wagner, Dem., New York, to handle all future disputes. The board swung into action immediately.

HYDE PARK, Aug. 5. (UP)—

President Roosevelt today commended to the "public conscience" an appeal of industrial and labor leaders for industrial peace during the recovery program, characterizing the document as comparable to Samuel Gompers' memorable war-time demand to preserve the status quo in labor disputes. Roosevelt explained that in addition to asking for cooperation in the interest of the nation, it proposed the creation of a tribunal to pass promptly on all cases arising through interpretation of the re-employment agreement.

Dr. Murphree At Fruitland Inst.

Recently Elected President and Family at School

Dr. A. B. Murphree and family, of Alabama, are now living at Fruitland Institute. Dr. Murphree having been recently elected president of the Institute by the board of trustees. Dr. Murphree is a man of many years experience in the teaching profession and has served as county superintendent, high school principal, instructor in State Teachers College, and as principal of the Ebenezer Baptist Academy in Alabama.

LAMONT SAYS STEEL CODE UNJUSTIFIED

NEW YORK, Aug. 5.—(UP).—The steel industry's NRA proposal goes "far beyond anything that can be justified by present conditions" and can only be justified to steel stockholders by "the realization of hopes aroused by the efforts of the national administration," Robert P. Lamont, president of the American Iron and Steel Institute said yesterday in a memorandum replying to questions regarding the code.

RECORD STILL SEIZURE FOR WESTERN CAROLINA SECTION WAS MADE FRIDAY IN POLK

Biggest Outfit Ever Known, Together With 7000 Gallons of Mash and 90 Gallons of Whiskey Taken; Three Arrested

Seizure yesterday in Polk county of what is declared to have been the biggest still ever uncovered in this section of the state, a 187-gallon copper outfit together with other items including 7,000 gallons of mash and beer and 90 gallons of whiskey was reported this morning by W. W. Owens, prohibition raider. At the same time, Will Corn, Beaufort Whitesides and General Jones were arrested on blockading charges. The seizure was made in Polk county and Mr. Owens said that the still was the biggest ever known in this section of the state. Occasionally, some of its size and even larger are used in the eastern part of the state, he said, but outfits of this size have not heretofore been known in the mountain area. The still was found in the edge of a field, Mr. Owens said, and

FEED DEALERS ADOPT CODE AND BACK NRA CAMPAIGN

Are Last of Local Groups to Take Formal Action Here Until Code Adopted for Druggists and Lumbermen

Feed dealers of Hendersonville met last night and expressed their sympathy for the administration in the effort to work out shorter hours, higher salaries to conform to the blanket code and the employment of more people. Their meeting was the shortest of the various classes of business code meetings which have been held during the past week. They adopted 8 o'clock as the opening hour and closing hour at 6 o'clock except on Saturdays, when they will close at 8 o'clock or earlier, according to wishes of the individual merchants. The new working hours will be effective next Monday. Zel F. Byers was elected chairman. E. W. Ham, chairman of the merchants group of the Chamber of Commerce has called off the meeting which on last Monday night was scheduled for the coming Monday night. It was felt at first that after the group meetings through the week merchants should meet Monday night to adopt uniform hours for opening and closing for the convenience of shoppers. Mr. Ham feels that such would be impractical until all businesses come under the permanent codes about the first of September, when a general meeting

will be called if such is considered advisable. Group meetings have been held by hardware and building supplies dealers, druggists, barbers, grocers and meat dealers. The leading dry goods, dress goods, department stores and furniture dealers adopted working hours after a general meeting the early part of the week. The lumbermen also have conferred, but like the druggists, are awaiting the adoption of a specific code at Washington, under which they will work. The Chamber of Commerce announced that it didn't know of any additional business groups that should be called but that the organization stood ready to be of service to any that might desire a meeting.

The next meeting in connection with the NRA will be that requested by General Hugh S. Johnson, Monday at 4 o'clock, to form a permanent organization to foster the observance of the regulations which the merchants have subscribed that they would conform to. The following food dealers were represented: Byers Bros., T. Hart & Co., Houston Feed Stores, Shelton & King, and the Farmers' Federation.

PROHIBITIONISTS LAY PLANS FOR DRIVE AGAINST REPEAL

PRECINCT DRY MEETING SET

Fletcher Will Be First to Organize; Meet Monday Night at 8

The first of the precinct meetings announced by County Chairman Roy C. Bennett of the United Prohibition Forces of Henderson county will be held in Hoopers Creek township Monday night at the Fletcher high school at 8 o'clock. At that time a mass meeting of citizens of that precinct who favor the prohibition cause will be held and a township organization will be perfected. Chairman Bennett and a number of speakers for prohibition will attend the meeting, arrangements for which are being made by the "dry" leaders of the township. This meeting and all other prohibition meetings held in Henderson county will be open to all citizens, Mr. Bennett announces. They are not for prohibitionists exclusively, but for all good citizens who desire to be informed about this question and in position to vote intelligently on November 7th.

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within 50 yards of the Jones barn. He said that it had been in operation for three weeks, or possibly a month. This is the second offense for Corn and Whitesides, said the prohibition raider. The latter defendant, he said, was captured last summer with 330 gallons of whiskey. An inventory of items taken at the still site was shown to contain the following apparatus and supplies: One 187-gallon copper still, cap and worm; one set of connecting pipes; one upright boiler, doubler and cooler; 150 feet of iron pipe; 50 vat fermenters; 7,000 gallons of mash; 90 gallons of whiskey; five 50-gallon barrels; five 5-gallon jugs; five 5-gallon demijohns; one 5-gallon keg; 10 1-gallon glass bottles; five buckets; three funnels; five rolls of tar paper; (Continued on page three)

"I Loved . . ."



"I loved Bill Costello . . . and the whole world will know of it!" A hushed courtroom throng at Salem, Mass., listened to Mrs. Jessie Costello, shown above in a serene pose during her trial, as she took the stand to make an impassioned denial of the State's accusation that she poisoned to death her husband.

ORGANIZATION OF KEY GROUP COMES MONDAY

Bids Are Out for Leaders to Confer at 4 P. M.; Canvass To Be Made

PATRIOTISM BASIS OF APPEAL IN DRIVE

In compliance with the request of General Hugh S. Johnson, national recovery administrator, the Chamber of Commerce has called a meeting of the "key" men and women of the community Monday afternoon for the purpose of furthering the spirit and operation of the re-employment codes. General Johnson suggests a committee along military lines with a general chairman, a man for general, a woman for lieutenant-general, three colonels, seven majors, seven captains and a large number of privates with the work divided among the different groups. This organization will follow up the work that has been done during the past week in helping the different mercantile groups work out their NRA re-employment codes. It will be the work of this army to encourage those not under the code to get under it not later than September 1; to canvass the residential districts and request in the name of patriotism the support of those who are co-operating in the national re-employment campaign; to use public gatherings, large and small, and the press for patriotic appeals for co-operation in the movement; to keep an eye open to any violations business men might make of the code which they have promised the national authorities they will adopt and operate under. The meeting will be held in the court room of the city hall at 4 o'clock. Invitations have gone forth in keeping with the following letter from General Johnson: "Will you take the initiative immediately in organizing a campaign committee in your community to be composed of the mayor, the official heads of the Chamber of Commerce, Clearing House Association, Kiwanis, Rotary, Lions, Retail Merchants, Federation of Labor, Advertising Club, Federation of Women's clubs, Welfare societies, Ministerial association, Real Estate association, and any other civic organization, which in your judgment is representative of an important element in the economic life of your community? "The function of this committee is to direct a campaign of education and organization which is to be a part of a national movement to speed the return of prosperity through the expansion of consumer purchasing power in accordance with the principles set forth in the National Recovery Act. "It is an inspiring thing to be a part of a great national movement to restore economic security to our people and I appeal to you to marshal all the forces of your community in one united effort to get rid of unemployment."

WRIT HALTS 3 IN OPERATION OF RED FROG

Temporary Injunction Involves Charges of Slot Machine Traffic

Judge Michael Schenck, resident judge of the superior court, yesterday issued an injunction against Frank King, Walter Cox, Bob King, and J. M. Herbert restraining them from operation of the Red Frog, located on the Asheville highway at Druid Hills, and from transporting, selling, or delivering, or having in their possession or in the possession of



SOLICITOR SHEPPARD

others any slot machines. The injunction was asked by Solicitor W. R. Sheppard, of the county recorder's court and was supported by affidavits from a number of citizens. The injunction was made temporary and is returnable before Judge Schenck on August 10 at 3 o'clock at the county court house. The defendants were further enjoined from removing any articles of personal property, musical instruments, tables, or slot machines, except wearing apparel from the Red Frog. Solicitor Sheppard this morning took warrants before the Judge of the recorder's court for King, Herbert and Cox charging them with conspiracy to carry on a general gambling business, with forming an establishment for the keeping and use of slot machines, with having in their possession illegal slot machines, or knowingly having on property owned or rented by them illegal slot machines, and for carrying on a public nuisance. Warrants were expected to be served this morning and Solicitor Sheppard stated that he expected to ask for \$500 bond in the case of each defendant.

S. A. MACE, 88, PASSES AWAY

Civil War Veteran's Rites Will Be 2 P. M. Sunday at Beulah

Solomon Armstrong Mace, 88, died at his home in the Crab Creek section this morning at 7:50 o'clock. Funeral services will be held Sunday afternoon at 2 o'clock at Beulah church, with the Rev. C. E. Blythe officiating, and burial will follow in the cemetery there. Mr. Mace was a farmer by profession and a native of Mitchell county. He was a son of the late G. W. Mace and Mira Wright Mace. He was a veteran of the Civil War, having served as a corporal in the Second North Carolina Mounted Infantry. He is survived by his widow, formerly Miss Elmira C. Blythe, and the following children: Mrs. J. W. Revis, Hendersonville; Mrs. B. Blythe, Hendersonville route 4; S. B. Mace, Reidsville; R. G. Mace, Belmont, and Mrs. J. B. Williams, Hendersonville route 2. In addition he is survived by one brother, S. M. Mace of Hendersonville route 4.

BASS JUMPED INTO BOAT

SALTVILLE, Va. (UP)—While Chester Totten and a friend were rowing on the Holston river near here, a three-pound bass jumped into their boat.