

ROOSEVELT ASKS FULL RESTORATION OF PAY

NRA Held Unconstitutional By Alabama Federal Judge

BOTH SIDES AGREE TO DECISION SO AS TO HASTEN APPEAL

Based on Indictment of Saw Mill Operator Who Ignored Code on Wages And Hours

ASK QUICK RULING BY SUPREME COURT

Only Two Courses Open for Test of Recovery Act In This Instance, One That Taken, and Other To Let Trial Proceed and Convict the Defendant

Birmingham, Ala., Oct. 31. (AP)—Judge I. Grubb, in United States district court, today dismissed an indictment against W. E. Belcher on the grounds that the national recovery act and the code of fair competition for the lumber and timber products industry, on which the indictment was founded, are unconstitutional.

The order was entered on an agreement of United States District Attorney James Smith and Jerome P. Fuller, of Centerville, representing Belcher to expedite an appeal to the United States Supreme Court.

Belcher, who operates saw mills at Centerville, Plantersville and other points, was indicted on charges of paying his employees less than 24 cents an hour, and working them more than 40 hours per week, as provided by the code of fair competition. Attorneys for the government and for Belcher, in reaching the agreement, said it would be in the public interest to have an early ruling by the United States Supreme Court on the validity of the national recovery act to clarify "confusion" and as to the constitutionality of the act.

District Attorney Smith explained that only two courses were open to test the validity of the NRA, one the step taken today and the other to proceed with the trial and obtain a conviction from which an appeal would be taken through the district court of appeals.

Budgets Of Schools Are Considered

Supplementary Expenditures for Local Schools Are Being Examined

Raleigh, Oct. 31.—The State School Commission is in session here today considering whether or not it will permit some 35 to 40 counties and towns to supplement the State school budget out of local funds. For a month or more the commission has had these supplementary budgets on file but so far has taken no action concerning them. Most of these supplementary budgets, both for counties and cities, provide for substantial increases in the salaries of superintendents, principals and office help, but only three or four provide any increase in salaries for teachers, it is understood.

Some of the members of the commission have taken the position that no supplement should be granted for superintendents, principals or office help unless the same supplement is also provided for the teachers. Others have taken the position that no supplements should be allowed at all, while some have taken the position that any counties, cities or towns that have the money or are willing to provide it should be allowed to make this additional contribution to the schools.

There was nothing to indicate up to noon today just what action the commission would take with regard to these supplemental budgets.

Because of certain items in the supplemental budgets submitted by the city of Charlotte and by Mitchell county which these units failed to

Americans Big Winners In British Sweepstakes For Nearly \$3,000,000

Assault Jury At Greenville Named

Greenville, Oct. 31. (AP)—A jury to try G. A. Terrell, 34, of Roanoke, Va., on a charge of criminal assault, was completed in superior court here today. Upon completion of the jury at 12:30 p. m., Judge R. Hunt Parker recessed court until 2 p. m.

DEMOCRATS HOPING FOR THREE STATES

Anxious To Carry Pennsylvania, Michigan and Indiana November 6

NEW YORK, OHIO SAFE

Willing to Forfeit California, but Other Three Are Mighty Doubtful; Indiana Situation Interesting

By LESLIE EICHEL (Central Press Staff Writer) New York, Oct. 31.—The Democrats are eager to carry three states: Pennsylvania, Michigan, Indiana. They count New York and Ohio as in the bag.

PAROLE HAS ENDED A COLORFUL CASE

Gus Langley Twice Had His Head Shaved as He Faced Electrocution

Raleigh, Oct. 31.—The parole granted today to Gus C. Langley, whose head was twice shaved in preparation for his electrocution, but who was saved from death each time by last-minute reprieves, brings to a close one of the most colorful criminal cases in North Carolina according to observers here. While Langley was convicted in Asheville of the murder there of Lonnie G. Russell a filling station operator, the night of September 27, 1932, and was sentenced to death, Governor J. C. B. Ehringhaus, in his statement accompanying the announcement of the parole today, said that after many months of careful and thorough investigation he was convinced that Langley did not commit the murder but was in Wilmington, almost 400 miles from the scene of the murder, on the date it was committed.

The fact that Langley is now a free man instead of a corpse in an obscure graveyard, is due more than anything else, according to those who have followed the case here, to the untiring efforts of Edwin M. Gill, commissioner of paroles, who for more than a year has worked untiringly in leaving no stone unturned and no report bearing on the case uninvestigated. From the first, Commissioner Gill agreed with the trial judge and solicitor that the evidence upon which Langley was convicted was too insufficient to warrant the death penalty and first recommended

Three Ticket Holders In the United States Reap Harvest of \$150,000 Each In Races

EIGHT TICKETS WIN TOTAL \$75,000 EACH

Four Others Get \$50,000 Each; Wynchwood Abbott Comes in First in New Market Derby in Field Of 33 Horses; Commander Byrd Places Second

New Market, England, Oct. 31. (AP)—Wynchwood Abbott, the favorite, of 9 to 1, won the historic Cambridge stakes today.

A field of 33 ran. Commander Byrd was second and Highlander third.

Commander Byrd was quoted at 40 to 1. The odds on Highlander were 22 to 1.

Wynchwood Abbott, ridden by Jackie Harriman, a.c. carrying 113 pounds over the mile and an eighth route, won by half a leap. Commander Byrd was ahead in front of Highlander.

The winner is owned by O. C. Watney. Commander Byrd is owned by J. Bristow and Lord Derby is Highlander's owner.

Wynchwood Abbott won in one of the most exciting finishes of the 95 years of the big handicap.

AMERICANS WIN TOTAL OF \$2,867,400 IN THE RUNNINGS New York, Oct. 31. (AP)—American holders of tickets in Irish Free State hospital sweepstakes won a total which amounted today to approximately \$2,472,700 as a result of the Cambridgehire handicap race at New Market, on which the sweepstakes were based.

Three tickets were held in the United States on the winning horse, Wynchwood Abbott, and each of these tickets pays \$150,000. Eight tickets were held in the United States on Commander Byrd, who ran second, and each of these tickets pays \$75,000. The four tickets held in the United States on Highlander who ran third, each pays \$50,000.

American holders of tickets on other horses entered in the Cambridgehire, but which did not finish in the money, will receive \$1,028,000 for their share.

In addition to the tickets on horses, Americans won consolation prizes totalling \$293,500, and residual prizes totalling \$1,200.

Dillinger Witnesses New Clash Feared At ERA Camp

Men in Custody In Connection With Bandit's Jail Break Whisked Away

Monticello, Ind., Oct. 31. (AP)—J. Edward Barce, deputy attorney general, and eight persons held as "witnesses" in the investigation of John Dillinger's "wooden gun" escape from Crown Point jail, disappeared early today when an attorney for one of the eight sought to serve a habeas corpus writ on Barce. The writ was sought on the behalf of Ernest Blunk, fingerprint expert, by his attorney, Allen D. Trymman, of East Chicago, Ind., but when Sheriff William J. Hayes attempted to serve the writ he learned that Blunk and the "seven other witnesses" had been taken from the hotel where they had been staying.

ANOTHER PUBLISHER SLATED TO SUCCEED TO HIGHWAY OFFICE

Governor Ehringhaus Reported Ready To Appoint Man to Place Held by E. B. Jeffress

FIVE NAMES UNDER CONSIDERATION NOW

Waynick, Horne, Elias, Park and Martin Rumored as on List of Prospects For Highway Chairmanship; Governor Thinks Newspaper Work Fitting

Raleigh, Oct. 31.—Reports current here for several days have been to the effect that Governor J. C. B. Ehringhaus is seriously considering naming a new chairman of the State Highway and Public Works Commission, replacing Chairman E. B. Jeffress who has been seriously ill for more than two months. These reports are also to the effect that the governor is considering naming another newspaper man to the chairmanship and the names of five well-known newspaper publishers or editors are being mentioned.

Chairman Jeffress, until he became head of the highway commission, was publisher of The Greensboro News and The Greensboro Record, and took part in the administration of some of these two newspapers after he came to Raleigh, although he relinquished the active management to others. Jeffress brought so much energy and drive from his newspaper experience into the administration of the highway commission, that he is credited with having injected more vigor and virility into it than any other chairman that had preceded him. He put operations into high gear the day he took over the highway department and kept them there.

Because it now appears that Mr. Jeffress' physical condition will not permit him to return to active work in a long time, and because there is urgent need for an active, responsible head to take over the direction of the highway commission at this time, the belief is current here that the governor has about decided to appoint a new chairman in the near future. And since Mr. Jeffress had gained most of the experience which made him so successful in directing the highway department from operating and directing a newspaper, the belief is gaining here that Governor Ehringhaus will select another newspaper man to carry on the work started by Mr. Jeffress.

At any rate, the names of five newspaper publishers or editors are being mentioned here in political circles

Workmen at one of the warehouses of the Atlantic and Pacific Tea company in Cleveland are shown, below, moving foodstuffs and stock from the storeroom and loading it onto railroad cars to be moved out of the city. The company determined to close its

State's October Revenue Has Tremendous Decline

Receipts For First Four Months of Fiscal Year Far Ahead of Last Year, However

STATEMENT GIVEN FOR GENERAL FUND

Highway Figures Not Yet Prepared; Franchise Taxes Largely Paid in September, Explaining Decline in Income for Month of October, Now Ended

Raleigh, Oct. 31. (AP)—Revenue collections for the North Carolina general fund in October dropped far below those of October, 1933, as had low those of October, 1932, for four months of this fiscal year were \$8,478,016.19, compared with only \$7,740,121.77 in the similar period of last year.

A. J. Maxwell, revenue commissioner, released the monthly general fund statement today, but the highway

AS GROCERY CHAIN QUIT CITY



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MRS. ROOSEVELT IS NOT TO GET DEBATE

President's Wife Ending Campaign for Her Friend in New York

New York, Oct. 31. (AP)—Mrs. Franklin D. Roosevelt isn't going to debate orothy Brooks tomorrow night.

After the first lady had, in effect, accepted the challenge of Miss Brooks, New York congressional candidate of the Law Preservation party, Mrs. Whitney made this ruling.

"The program tomorrow night is already too long. We've no time for a debate. I won't add another speaker."

Mrs. Whitney is chairman of the dinner at which Mrs. Roosevelt is scheduled to make her last speech in behalf of Mrs. Caroline O'Day, Miss Brooks' Democratic opponent.

When she received the debate challenge Mrs. Roosevelt replied that if those managing the meeting wished Mrs. Brooks to speak she would welcome her.

PRESIDENT URGES GOVERNMENT CUTS PUT BACK JULY 1

Ten Percent of Reductions Already Restored and Remaining Five Will Be In 1935

THINKS PRICES BY THEN TO BE HIGHER

Says Increases Will Not Be Warranted by January 1; Recommendation To Be Made to Congress; Relief and PWA Expenditures Not Yet Determined

Washington, Oct. 31. (AP)—Full restoration of the government pay cut next July 1 will be recommended by President Roosevelt.

The President made the announcement today at his semi-weekly press conference.

This means a five per cent increase in all government salaries, which will make them reach to 1932 levels.

Mr. Roosevelt said the pay increase would be urged in expectation of an increase in values and in prices by July 1.

He does not feel the increase will be warranted by January 1, but he is confident of the upward trend by July 1.

In taking office, the President brought about a 15 per cent cut in government pay. The last Congress restored ten per cent of this reduction.

Formulating his budget for next year, the President said today he was reserving any estimates on forthcoming relief and public works expenditures until at least the first of the year.

Meanwhile, he said he did not have

(Continued on Page Four)

Says U. S. Won't Aid Next War

Little Rock, Ark., Oct. 31. (AP)—Senator Joe T. Robinson, the Senate Democratic leader, said he had assured European leaders the United States would not supply men, munitions or sympathy to any nation in the event of another European war.

Speaking before a banquet group of Little Rock junior bar members last night, Robinson declared that everywhere he went on a recent visit to Europe, he was asked about this country's attitude in event of another war.

"I assured every one of these inquiries that the United States does not understand Europe's complicated problems, and has no patience with the intrigues through which the various countries seek to gain their ends," he said.

Tar Heels Find Many Good Jobs

State's Quotas With Uncle Sam Filled, But They Crowd the Capital

Washington, Oct. 31. (AP)—Despite reports that North Carolina's quotas of jobs in Federal departments have been filled, and in some instances over run, Tar Heels are still flocking to Washington in hopes of finding government jobs.

And an official at the Democratic National Committee here said recommendations would be given North Carolina Democrats as long as they are competent to fill the posts which they seek.

Two Tar Heels have recently landed important jobs in Washington.

Dr. R. D. W. Connor, formerly professor of American history at the University of North Carolina, has become archivist of the United States at a

(Continued on Page Four)

WEATHER

FOR NORTH CAROLINA Cloudy, followed by rain Thursday, and in west and north central portions today; slightly warmer tonight; slightly colder in northwest portion Thursday afternoon.

(Continued on Page Three)

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