

## ROAD LAW IS HELD INVALID

### TOWNSHIPS CANNOT TAKE ADVANTAGE OF STATES CREDIT FOR FUNDS AT FIVE PER CENT TO BUILD ROADS.

Nos. 5 and 9 townships in Cleveland county, which have been waiting on a decision of the Supreme Court, holding the validity of the road law passed by the last legislature, law passed by the decision that they will not use road bonds as townships cannot vote road bonds as townships cannot secure the State's credit enabling road building unit to secure money at 5 per cent. Bond issues have been considered by Nos. 5 and 9 townships in amounts of \$30,000 each and had hoped to get money at 5 per cent by taking advantage of the act passed by the legislature whereby provision was made for the state to issue bonds at 4 per cent and turn the money over to townships and continue at 5 which would mature the bonds in 41 years.

This decision of the Supreme Court means, so County Attorneys Ryburn and Hoy stated yesterday, that Nos. 5 and 9 townships which contemplate road building on the bond issue plan, will have to issue bonds on their own accord and sell them in the bond market at the lowest rate of interest they can, just as the other townships have done. A dispatch from Raleigh says:

### Court Divided

The superior court is divided three to two in the appeal from Johnston county, involving the validity of the act of the last general assembly authorizing four per cent state bonds, running 41 years, issued on county certificates or bonds for five per cent, for money for road improvement, or rather the justices are thus divided as to the constitutionality of section 20, providing for township or road district bonds the same as county bonds secured and administered by the county.

The majority hold section 20 unconstitutional and Chief Justice Clark and Justice Walker hold that not only is section 20 valid but that the whole act is worthy of being sustained as a "most just, beneficent and overshadowing importance in a goodly battle given this afternoon. Justice Hoke wrote the opinion for majority of the court and Chief Justice Clark the dissenting opinions.

In the hearing below Judge Devin held with the plaintiffs, the commissioners of Johnston county, that the act was valid, directing State Treasurer Lacy, the defendant in the test case appealed, to pay over money to the county for the two townships requisitioned. The controlling opinion finds error on Judge Devin's ruling, in that it is held that the legislature cannot authorize a county board to issue bonds for road improvements in townships or road districts, making the whole county responsible for benefits that accrue solely to specific localities within the county.

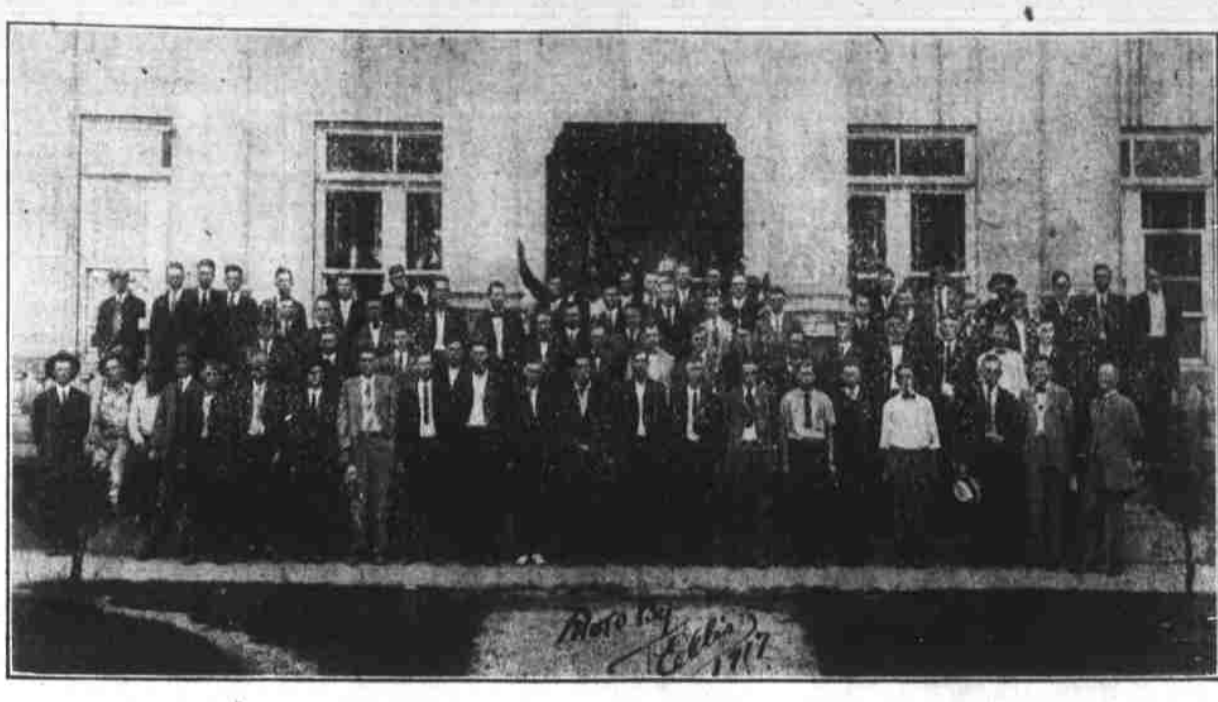
### Only Part of Act Interpreted

As to the validity of the remainder of the act the controlling opinion says: "What effect this finding of in the remaining provision of the act and whether the general principals which forbid that on facts of this record, cost of building and upkeep of local roads for a township or road district to be financed by a county, will operate to prevent a state from incurring a large bonded indebtedness in aid of road building in different counties, are questions of large importance which we do not now determine. They not being presented in this record, we do not consider proper to decide by anticipation."

The effect of controlling opinion is to knock out that portion of the act that would have townships or road districts to vote such bonds as thus exact of the county the issuance of its certificates to the state for five per cent 41 years and then collect and administer the special taxes for the township or road district. Then there remains the possibility for an entire county to vote the bonds for road work in the county when such a step is taken by a county there can be another test case to settle the validity of the act as a whole, applying to county and state.

See us for three ply granitized roofing. It has stood the high wind and rain for ten years. Sold by Farmers Hardware Company.

FOR Roofing, hardware, tools, etc. go to Lineberger's.



Picture 73 drafted men who left Cleveland Co. Wed. Sept. 19 Camp Jackson, Columbia, S. C.

### PANHANDLE COMMUNITY FAIR

Will be Held Oct. 3rd—Rules Governing the Same.

Special to The Star: The meeting at the school house Wednesday night was attended by about 50 people. We think our community is in earnest about our fair.

The rules as outlined in the Gaston Agricultural Journal for the Big Gaston County Fair will apply to our fair with a few exceptions. No entrance fee will be charged and no cash premiums will be given; we can only give ribbons. But the honor of wearing a ribbon for an efficiency is worth more than any cash compensation we could win while the winning of first or second ribbon is nothing compared with the educational value of preparing and bringing some article to the fair.

Study the Journal and see the many articles listed, then select a supply and put them on. You may exhibit fruits and vegetables in round or square jars as you have it canned; bring it along and help make it the biggest and best in the county.

All entries except the perishable things, the live stock and poultry are to be brought or sent in on Tuesday Oct. 2nd. The live stock, poultry and cooking must be in by 9:30 Wednesday. No entries will be accepted after 9:30 Wednesday morning.

This is to be a big day for Panhandle. The most important gathering we have had during the year. Arrange your work so you and your family may come early and spend the day.

Of course we can't have any shows or anything in that line but a day of many interesting things for you. If you haven't already secured entire blanks you may obtain them from the president.

Mrs. J. W. Craft, President.

### MRS. WINSLOW WRIGHT DEAD

Leaves Husband and Six Small Children—Was Church Organist.

Special to The Star: Mrs. Winslow Wright of Henry R. 1, died July 13, 1917, of heart failure, aged 28 years. Deceased leaves a husband and six small children, the youngest only a few hours old. We cannot understand why God took Bessie; but some day we will, and will know it was right, for God makes no mistake.

In the tender years of girlhood, she united with the Methodist Protestant church at Laurel Hill, where she remained a faithful member till death. She was always an active worker in the church, being organist for awhile. It was hard for her devoted husband and darling little children to give her up; but as she looks down over the battlements of heaven, we trust that she may see each of her children marching to victory in the Christain life and by and by as their work has been done, may they all meet her on the sunny banks in that sweet by and by.

### A COUSIN.

Rook Parties for Daughters

The Daughters of the Confederacy will begin a series of rook parties next week. The first party will be given at the home of Mrs. W. B. Nix and others will follow as will be announced later by the various hostesses. At each time a silver offering will be taken to be used in liquidating balance dues on Comfort Bags presented the soldier boys by the Daughters of the Confederacy.

### ANYTHING

you need in hardware; better buy from J. D. Lineberger's Sons now.

Buy the best—forget the rest. See Evans E. McBrayer for your new Fall suit, hat and shoes.

### CHERRYVILLE ITEMS

Big Cash Paid for Country Produce—First Cotton Bale Sells for 25c—Personal Mention.

#### Cherryville Eagle:

Mrs. Chas. Crowder of Waco spent last week with her parents, Mr. and Mrs. Sylvanus Dellinger.

Mrs. Pearl Osborne and children of Parkville, S. C., are spending several days in town, the guest of her mother Mrs. J. A. Stroup.

Mr. and Mrs. D. A. Rudisill left last Sunday evening week for Boston and Springfield Mass. While in Boston they will be the guest of Mr. and Mrs. J. S. P. Carpenter, formerly of this place. They will be away about 10 days and on their return they will stop over in Washington.

Rev. O. C. Fortenberry and family and a Mr. Cody had a narrow escape from injury Sunday when the touring car in which they were riding turned turtle while coming through Freedmen. Accident happened when Mr. Fortenberry turned from his general course to pass another car. Luckily no one was hurt. The top of the car was badly damaged and wind shield broken.

Mr. Frank Royster of North Brook put the first new cotton on the market here last Saturday. Mr. D. R. Mauney purchased the bale which weighed 422 pounds at 24 cents per pound. Mr. Mauney will devote his entire time in buying cotton this fall always paying the highest market price. His office is in the second story of the First National Bank Building.

#### Steals Cow, Gets 12 Months

Jim Quinn of Kings Mountain stole a cow one night last week from one of his neighbors, Viney Hogue, and drove the animal to Bessemer City where he sold it to the market.

The Chief of police at Kings Mountain notified the markets at Bessemer City and Gastonia to look out for the missing cow, and then started in a hasty auto pursuit. When he arrived at the market in Bessemer City there was the cow and close by was Jim Quinn who was being held in response to the telephone message from Kings Mountain.

The cow was restored to its legal owner and Quinn was tried before Recorder Falls in Shelby and given 12 months on the road.

#### Speaking of Fees

The University NewsLetter: The county treasurers in 86 counties got nearly half as much for handling public money in 1915-16 as the county school superintendents received for running the school systems—according to the report of the state superintendent of public instruction in North Carolina. Eighty-six county treasurers received in commissions \$56,869 from the public school fund, and 100 county superintendents received \$115,948 in salaries.

#### THE REASON—

our business is so good is that we have the goods, and price and too, people like our way. J. D. Lineberger's Sons.

Buy that new suit, hat and shoes at Evans E. McBrayers.

### BERRY BARRETT KILLED

Cherryville Man is Shot in Danville—His Father was Shot Near Shelby 18 Years Ago.

Cherryville Eagle: Mr. Berry G. Barrett was shot and killed at his home in Danville, Va. last Monday morning. The full particulars of the homicide are not obtainable at this writing. The deceased and another man lived in the same house and engaged in a quarrel in the room in which Mr. Barrett lived. His antagonist drew a pistol; in the scuffle which followed 3 shots were fired two of which struck his antagonist one in the shoulder and one in the hand cutting off two fingers. One shot struck deceased in the breast resulting in his death fifteen minutes later.

Mr. Barrett was 26 years old, he left here about six years ago and went to Danville, Va. where he had since resided. He leaves a wife and one child about a year old. His mother, Mrs. Kizzie Barrett, resides here. His father, Mr. Jap Barrett was shot and killed near Shelby about this time of year 18 years ago.

The body of deceased was brought here Tuesday evening and interred in St. Johns cemetery yesterday. Rev. D. F. Putnam conducting funeral services.

His slayer is lodged in jail at Danville.

### MISS ALLEN MARRIED

Cleveland county friends of Miss Essie Allen, attractive daughter of Mr. and Mrs. Geo. Allen formerly of this county will be interested to learn of her wedding Wednesday evening at 7 o'clock at the home of her parents, four miles north of Ellenboro to Mr. Fred Culbert, a prominent young farmer who lives six miles from Forest City. The ceremony was performed by Rev. W. G. Graham of Henrietta. The decorations of yellow and white with a profuse use of golden rods were used. The bride was married in a handsome suit of blue taffeta. Those who attended the wedding are: Mr. and Mrs. Ed Ross of Hendersonville, Mr. and Mrs. C. S. Royster of Lincolnton, Mr. and Mrs. James Allen, Mr. and Mrs. John M. Tucker, Mr. and Mrs. Irvin Allen and Mr. and Mrs. Geo. Allen, Jr.

### Fire at Blacksburg

Mr. P. C. Lavender of Earl was a Shelby visitor yesterday and reported that a phone message from his son, Mr. Anthony Lavender who lives at Blacksburg, S. C. brought word that fire destroyed half of the postoffice and a meat market at Blacksburg Wednesday night. Origin and extent of the damage unknown.

### FIRST BAPTIST CHURCH

Sunday School at 10 o'clock. Morning and evening services at eleven and seven thirty. Morning sermon: Proving ourselves. Evening sermon: The purpose of Education.

This evening service will be a special service for the school children of the congregation and their friends. This will be "School Night" at our church. Special music. A cordial welcome.

Coles three furrow grain drills. Hay baling wire, heating stoves, grates, stove pipe, etc. Farmers Hardware Co. adv.

Saturday is the big clothing, shoe and hat day at Evans E. McBrayers.

### NEWS IN CONDENSED FORM

Items of Interest Gathered From Over The State.

Col. W. J. Bryan is scheduled to speak at the Forsythe county fair in Winston-Salem October 2.

Dr. Thos. W. Lingle of Davidson, who sailed for France recently to engage in army Y. M. C. A. work, has arrived safely.

Frank McDonald, superintendent of a saw mill at St. Paul, Robeson county, was thrown against the saw and both legs were cut off.

Chas. A. Randleman, a Salisbury man who has lived in Jacksonville, Fla. for several years, was drowned near that city a few days ago.

At Rocky Mount Jacob Lee Vick, nine year old was playing between two piles of lumber when the lumber fell on him and crushed him to death.

Gov. Bickett has pardoned Grover Walker of Wilkes county, who was convicted in March, 1916, of secret assault and sentenced to 20 years in the State prison.

Supt. McBrayer of the State Sanatorium finds that, according to the bureau of vital statistics, there were 211 fewer deaths from tuberculosis in North Carolina in 1916 than in 1917.

A "sparkler"—a fire works toy—was the prize a 9-year-old Kinston girl found in a candy prize box. Naturally she lighted it. Her clothes caught fire and she was burned to death.

The Enterprise says a small child of Mr. and Mrs. W. C. Feimester of Newton was run over by an automobile, while attempting to cross the street. It was badly bruised but not seriously hurt.

Something new for Salisbury has been introduced by Dr. W. B. Dutera, pastor of the First Congregational church of that city. Every other Sunday evening at the service at the parish house he shows pictures, the first series of them being of special significance.

W. C. Weir and James Clergy, construction men, were killed and Gordon Rogers, engineer, Geo. Collett, fireman, and Tom Jones, brake-man, were seriously injured when a logging train operated by the Andrews Lumber Company, at Andrews, Cherokee county, ran away down the mountain Friday afternoon.

### SHELBY RED CROSS NOTES

Workers Will Please Notice Change of Day and Hours of Work Room

Beginning Tuesday Oct. 2nd the Red Cross work room will be open in the afternoon from 2 to 5:30 o'clock, also that night from 7 to 9. On Thursday the same hours will be observed. Let every woman and girl in the town and county give at least one hour a week to this greatly needed work.

The Red Cross was the recipient this week of generous donations in the nature of unbleached muslin to be used for bandages, etc., from Mr. J. R. Dover of the Ella Manufacturing Company and Mr. J. C. Smith of the Shelby Cotton Mills. These donations were greatly appreciated by the officers and members of the local chapter.

DON'T FORGET— to plant plenty of oats, rye, clover, vetch, rape and trade at Lineberger's. The best place in town.

Saturday will be the Big Clothing, Shoe and Hat Day at Evans E. McBrayers.

### MAKES ASSIGNMENT

H. E. Kendall, a leading Druggist in Shelby for 25 Years, Assigns to Creditors.

Mr. H. E. Kendall, made an assignment to his creditors Tuesday Mr. Kemp Kendall being assignee by the clerk of the court. The announcement came somewhat as a surprise in business circles and with considerable regret to his host of friends with whom he has been doing business for twenty five years, keeping an up-to-date store which many declared to be far in advance of the town's demands, but he had a pride in Shelby and in his business and the best was not too good for Shelby. About two months ago, Mr. Kendall was compelled to abandon work at the store on account of a spell of sickness.

The assignee says that from the best information obtainable at present, he hopes the assets will cover the liabilities and all creditors will get their full dues when the business is wound up. Mr. Kendall voluntarily made the assignment in order to show no preference among his creditors and let all share alike, which they will do under the plan he has pursued.

Mr. Kendall has several things in mind as to his future, but as yet has not decided what business he will enter.

We trust Mr. Kendall will soon recover from his recent sickness and be able to again add to the progress of Shelby to which he has contributed so materially in the past.

### TO RE-MAKE WOUNDED

Plans of the Government to Reconstruct Wounded Soldiers.

Major General William C. Gorgas, Surgeon General of the army, who is conceded to be one of the world's greatest authorities on military medicine and surgery, announces an important reform in the nation's plans for dealing with wounded soldiers. From the time the soldier is wounded at the fighting front until his return to civil life, the government intends to stand by his side in an effort to prevent deformity from wounds, to refit the injured man for his place in civil life and to reconstruct him for service to himself and the State.

There will be expert orthopedic surgeons at the front, not very far from the firing line, to deal with his wounds soon after they are received, in this effort to prevent deformity. One hundred miles behind the firing line there will be orthopedic hospitals and "curative workshops." Finally, after the man is brought back across the Atlantic to this country there will be great "reconstruction hospitals" in New York, Boston, Philadelphia, Chicago, St. Louis and other large cities, where the work of trying to "re-build the wounded men for a resumption of service in civil life will be continued.

"The whole conception of governmental and national responsibility in caring for the wounded," said Major Gen. Gorgas, in an authorized statement of the government's plans, "has undergone a radical change during the months of study given the subject by experts serving with the Medical Officers' Reserve Corps and others consulting with them. Instead of the old idea that responsibility ended with the return of the soldier to private life with his wounds healed and such pension as he might be given, it is now considered that it is the duty of the government to equip and re-educate the wounded man, after healing his wounds, and to return him to civil life ready to be as useful to himself and his country as possible."

### Caroleen Cans 27,642 Quarts

Special to The Star: As a patriotic contribution to the progress of the war and American victory and the home comfort and use, the Caroleen families have during the year put up 27,642 quarts of fruit and vegetables, most of which was raised on home lots well cultivated.

The large and prosperous department stores are now in charge of two noble Shelby boys, Pink Rollins and James Jenkins. All well for Caroleen-Henrietta.

### Masonic Meeting

The regular masonic meeting will take place tonight at 7:30. Rev. A. H. Sims will speak to the lodge on "God in Masonry". Other very important subjects will be discussed at this time. All masons are urged to be present. Visiting brethren invited.

A favorite range cooks better with less wood. Lasts longer than others. At the same old price. Just think about this. Farmers Hardware Co. adv.