

The Markets. Shelby Cotton Market 18 1/2 Cotton Seed, per bu. 64 1-2c

Rain On Thursday. Today's North Carolina Weather Report: Cloudy and somewhat warmer with rain in west portion tonight, Thursday rain, warmer in east portion.

Influenza Spreads. Schools in numerous states over the union and this state have closed this week due to the influenza epidemic, including the city schools at Atlanta, and four or five universities. The epidemic in this section seems to be subsiding somewhat, but physicians warn of the danger of a "set-back," or relapse.

TO BE BURIED IN CASKET SELECTED BY HIM IN 1926

Mr. Tom Tucker, Who Died Tuesday, Made Arrangements For His Burial.

Mr. Tom Tucker, age 73 years, who passed out quietly Tuesday afternoon at 1 o'clock at the home of Mr. Dock Jones at McBrayer Springs, a few miles north of Shelby, will be buried Thursday in a casket and vault he selected at a local undertaking parlor two years ago.

After making this personal selection of his casket and vault to match those in which his wife was buried about four years ago, he visited the undertaking parlors about every six months to view the casket and vault and make sure they were in keeping for him. If he went out of town on a trip, he called by Jack Palmer's and instructed him to take charge of his body if anything happened.

Heart Trouble. Mr. Tucker had been suffering with a heart trouble for several years and felt he would die most any time. He was a millwright by trade and operated many grist and flour mills throughout the county. He was known as "Honest Tom" to many for he was upright and honorable in all his dealings and in his younger days was one of the hardest working men in this section.

Mr. Tucker was married to Miss Martha Jane Beatty. This union was a most happy one. Four years ago she died and all of his brothers and sisters have passed on except a half-sister, Mrs. Dorcas Beam of Shelby. He was a member of the First Baptist church, Shelby.

The funeral will be conducted at Ross Grove Baptist church Thursday at 1 o'clock by Rev. R. M. Hoyle, veteran Methodist minister of the county. Interment will be beside his wife at Sunset cemetery.

YOUNG MAN HELD ON CHECK CHARGE

Harry Kelly Arrested By Officers On Check Charges Here Tuesday.

Harry Kelly, young white man said to have married in the Lattimore section but a native of South Carolina, was arrested by Shelby officers yesterday on a check passing charge. Arrested with him was his companion, Byron Martin.

Some days back, it is understood, a warrant charging Kelly with forgery was sent to Woodruff, S. C., where he was thought to be, but later it was reported that he was in Texas. Tuesday he appeared again in Shelby and local merchants notified officers who made the arrest.

Among the firms originally preferring charges, it is said, are Campbell's and Wright-Baker's.

Eight Couples Get License In Gaffney

Cleveland Couples Help Make Stroup Total 25 For Week.

The South Carolina hitching ground continues in popularity. Last week 25 couples secured marriage license from Probate Judge Lake W. Stroup, at Gaffney, among whom were eight Cleveland county couples.

The Cleveland couples follow: Ernest L. Miller and Justina Mauney, of Shelby; Louis McMurry and Nannie Dover, of Kings Mountain; Smith Philbeck, of Shelby; and Molly Kate Melton, of Old Fort; Jim Thrift and Viola Oliver, of Shelby; Hubert Pryor and Pauline McCraw of Shelby; William Perry Patterson and Rachel Byers, of Shelby; Henry Willis and Eric Hastings, of Belwood; Lawrence Robbins and Rachel Crow, of Boiling Springs.

VOL. XXXV, No. 148

THE CLEVELAND STAR

SHELBY, N. C.

WEDNESDAY, DEC. 12, 1928

Published Monday, Wednesday, and Friday Afternoons

By mail, per year (in advance) \$2.50 Carrier, per year (in advance) \$3.00

Defeat Of School Issue Will Shorten Term Here

Board In Definite Statement; Citizens Make Plea To Voters

Can Run Only Seven And One-Half Months With Present Tax, Board States. J. J. McMurry Says Defeat Would Disgrace Town. Hoey, Mull, Ryburn Endorse Raise.

Next Monday, December 17, if the increased tax levy for the Shelby school district is voted down the city schools of Shelby will be able to operate no more than seven and one-half months next year, perhaps this year. This was announced in a definite statement by the city school board today, together with the declaration by board members, all respected business men, that the Shelby school system is operated at as small a cost per pupil as is the system of any town of similar size and property valuation in the state.

The statement was followed by statements from numerous well known citizens of the town who declared that defeat of the measure would be a "black eye" for Shelby.

The Board Talks.

Members of the graded school board speaking to The Star stated, and asked to be quoted, that they find it an impossibility to run a nine-month school in Shelby upon the 30 cent rate; that they have been incurring a deficit for several years. Being manifest that this could not go on, the school board laid all the facts before Attorney R. L. Ryburn, who went into the matter thoroughly and advised the board that the only way out of the situation was to increase the tax levy, and that this would require an election. The members of the board feel as if it is not fair to the voters to ask them to give their time and best business judgment in the conduct of the schools without providing adequate financial support. They serve without pay and simply as a matter of public pride. They have gone into the matter thoroughly this week again, and unless the voters of the town see fit to vote the increase the school CANNOT RUN LONGER THAN SEVEN AND ONE-HALF MONTHS. That while the tax will not be available this year they hope, if the future is provided for, in some way to keep from shortening the term this year, but this is not certain. In any event if the tax is not voted there is no encouragement to go on incurring a deficit and it is the unanimous judgment of the board to CLOSE THE SCHOOL when the money gives out.

Is For Maintenance.

A number of incorrect statements are being made, the statement of the board continued, by those opposed to the increase—for instance that the increase is desired to take care of the deficit. This is not true; its sole purpose is to take care of the future. Also, it is claimed, that help may be expected from the next legislature—The board is advised that this is uncertain and entirely problematical, and feels as if there is every reason to assume the school district must provide for the extra three months, even if the legislature does give aid, as the increase by the state will be for the six months term, and the state gives any relief school tax. The board, in conclusion, insists that it is conducting the schools of Shelby on a more ECONOMICAL BASIS than is being done in any other town of similar size and property valuation.

Would Be Disgrace.

Following the frank statement by the board numerous citizens interested in their community declared that the measure defeated would injure the town financially. Among them was Mr. J. J. McMurry, one of the town's oldest and most respected business men. "I think it would be a disgrace for the town to go backward with its schools," he said. "To us here (meaning the McMurry interests) the increase will mean a good-sized amount of money perhaps, but to take a backward step in our schools will hurt us worse. Personally, with no more children to educate, it does not mean so much to me other than community pride and the general benefits the community as a whole will receive from modern schools. I was a member of the first graded school board here and I can look about town

and see men and women getting along fine in the world, who, due to conditions, would never have been able to receive the education they did in the graded schools if they had been forced to pay the old tuition."

Ryburn For It.

Mr. Ryburn, who advised the school board in the proposal, and considered a conservative business man, says: "As I see the school situation it is up to the voters to vote the tax, or see their school term cut short. There is no doubt about what the result will be if the tax is defeated. If the people want a school term out of line with the other towns of the state, then they can have it by defeating the tax. I do not think Shelby can afford to take that position."

Voting Against Children.

"Ordinarily," stated Clyde R. Hoey, "I would be opposed to any increase of taxes for any cause, but I cannot get the consent of my mind to vote against the future of the children of Shelby. Therefore, I am in favor of the special school tax, and I shall vote for it next Monday."

"My children have all finished school so that I have no selfish interest in the matter, but I am deeply interested in maintaining good schools for all the children of this entire community, and I do not think that Shelby could afford to defeat this special tax and permit our schools to be cut down in length of term and in efficiency. I do not know of anything that would advertise Shelby the wrong way as generally as to defeat this school tax and let it be known that our school term is to be reduced. The men who compose our school board are good business men and are deeply interested in Shelby and in the education of our children. They have given us the facts in regard to this situation and it seems to me that there should be no question about our making this necessary provision for our schools," he added.

High Cage Outfit Drops Opening Game

Cliffside Wins Season's Opener By One Point, Slow Starting.

The Shelby high basketball quint lost its first game of the season here last night to the fast Cliffside five by a score of 10 to 9.

The local quint, handicapped in practice by the influenza epidemic, appeared unable to get going and failed to flash any form or display any teamwork until the game was well gone. As it was the nip-and-tuck contest, with one point margin, proved entertaining for the fair-sized crowd which witnessed the game in the "tin can."

Wall and Rippy started the game at the forward 5 ribs for Shelby, with Lee and Hulick at guards and Gold at center. Numerous substitutions were made. The Shelby coaches are now trying to arrange another contest here Friday night.

Veteran, Age 92, Is Buried Today

John Weaver, Died Here At Home Of His Son W. T. Weaver. Burial At Bethel.

Mr. John Weaver, 92 year old Confederate veteran, died Tuesday afternoon at 1 o'clock at the home of his son W. T. Weaver on West Sumter street with whom he made his home. Deceased is the last survivor of his family and is a native of this county moving here a few years ago from Double Shoals. Mr. Weaver will be buried Thursday at 2 o'clock at New Bethel Baptist church near Lawndale, the funeral to be conducted by Dr. Zeno Wall of Shelby. Surviving are the following children: Mrs. Frances Swezey, Mrs. Andrew Pritchard, Mrs. James Wilson, W. T. and Bynum Weaver. One son Dock Weaver died about four years ago. Also surviving are 34 grandchildren and 70 great grandchildren.

COUNTY MAN ENDS LIFE WITH SHOT; POSSE FINDS HIM

Body Of Eury McSwain Found In Honeysuckle Vines, Suicide Due To Ill Health.

In a clump of honeysuckle vines, the body of Eury McSwain, farmer of Patterson Springs, was found early this morning with the top of his head blown off by a shot gun which he fired with his own hands late Tuesday evening, while out hunting. His finger was still on the trigger and one hand gripped the barrel.

Ill Health the Cause.

Suicide was admitted to be the cause of his death. He had been in ill health since his wife died four years ago and recently his mind was affected. For five weeks he was a patient in Broad Oaks sanatorium, Morganton, being treated for melancholia. Last Friday he was brought home, somewhat improved, but his sister, Mrs. J. J. Curry with whom he lived at Patterson Springs concealed the gun and any other dangerous objects from him. Rabbits had been eating the cabbages in the Curry garden and yesterday when Mrs. Curry started to the garden he asked to take the gun along to shoot any rabbits he might see. She consented but no rabbits were found in the garden and he went off to the field to hunt awhile, apparently in a normal condition.

Posse Makes Search.

Mrs. Curry became alarmed that he should be out by himself with a gun and reported the fact to his brother Eli McSwain, who lived nearby. Eli went to the field and found him hunting and decided to join him as a matter of safety after he had made a short business trip. Upon his return he sought to join him, but the search was in vain and a posse of fifty men in the neighborhood was formed to locate him.

Night came on and the surrounding countryside was scoured by lantern light. About 1 o'clock this morning the search was abandoned until morning when it was resumed at daylight.

In the clump of honeysuckles, Claude McSwain, a brother, found the body with the top of the head blown off by the short barreled shot gun.

Mr. McSwain was 38 years of age, the son of the late Mr. and Mrs. Luther C. McSwain. When his wife died four years ago he was left with one little girl, Helen, now eleven years old. He was a quiet, Christian young man, highly esteemed by all who knew him. He was a member of the Patterson Springs Baptist church where the funeral takes place Thursday morning at 11 o'clock. Services will be conducted by Revs. W. E. Lowe and Rush Padgett.

Surviving are five brothers—Anderson, Walter, Claude, Eli of this county, Orie of Charlotte and two sisters, Mrs. J. J. Curry of Patterson Springs and Mrs. Ben Allen of Blacksburg.

Issue Warrant For Smalley In Casar Shooting Sunday

Little Known About How Hoyle Was Shot Due To Drinking Said.

A warrant was sworn out Tuesday before Judge John P. Mull for Maurice Smalley, charging him with shooting Palmer Hoyle in a Casar cafe late Sunday afternoon. Smalley is said to have disappeared after the shooting. Hoyle is in the hospital here with bullet wounds in the shoulder but is not considered in very serious shape. According to information given at the time the warrant was sworn out very few details of just what happened before and during the shooting are known, due, it was said, to the fact that quite a number of those present were under the influence of whiskey.

ROYSTER IS NEW CHAIRMAN OF KEY CLUB GOVERNORS

Mr. Wythe Royster, oil distributor, is the chairman of the board of governors of the Key club, local social organization for young men. He was elected at the annual election held by the club this week. Other members of the board are Messrs. Max Washburn, E. B. Jarrett, Mike Austell and Stowe Wray, with Bill Andrews as club secretary.

Navy Hero Honored



William Russel Huber (above), machinist's mate, U. S. N., with the Congressional Medal of Honor which President Coolidge conferred upon him for bravery during a boiler explosion aboard the destroyer Bruce. Huber's reckless gallantry saved the lives of nearly a score of shipmates. (International Newsreel)

BAPTIST CHOIR ON AIR AT WBT

Will Broadcast In Charlotte Friday Night, Dec. 21.—Rehearsal Friday.

The choir of the First Baptist church of Shelby will broadcast over station WBT, Charlotte, on Friday night, December 21, at 9:30 o'clock.

The cantata, "The King Cometh" by Stults, will be rendered. The choir has been working for several days on this special Christmas number and Mr. Eason, the director, reports satisfactory progress.

The next rehearsal will be held on Friday evening at 7:15 o'clock in the Central high school auditorium. A full attendance is desired. This cantata will be rendered at the evening service of the church on Sunday night December 23.

Gardner Names His Private Secretary

Will Be Tyre Taylor, Young Charlotte Lawyer And Club Leader.

It was announced in Raleigh yesterday, where Governor-elect O. Max Gardner was attending a farm conference, that Tyre C. Taylor, young Charlotte attorney, would be his private secretary when he takes office as governor next month.

The young attorney formed a Gardner-for-governor club at the University in 1920, and in the recent campaign was state organizer of young Democratic clubs.

Horse's Head In Beer Barrel

Davidson County Deputies Find Head In Barrel Of Illegal Brew.

Lexington.—There is a certain beverage, of more or less popularity, that is frequently spoken of as "white mule" or "white horse." These names, however, are popularly supposed to have been bestowed by reason of the fact that this beverage possesses the quality known as "kick." But here is a more realistic reason than this: Several days ago Robert Hunt and Lee Schriest, deputies sheriff in Emmons and Conrad Hill townships, were scouting about in the woods on the trail of a suspected moonshiner plant, when they came across a beer-stand covered with a tow sack in the customary manner. When the sack was lifted a stiek was observed lying across the top of the barrel. When this was lifted the officers were amazed to find a horse's head hanging to it. And it was literally hanging on

NEGRO SMOTHERS IN COTTON SEED AT LOCAL PLANT

Was Standing Up And Covered Over Six Feet Deep, Cave-In Blamed.

Damon Jenkins, 28, colored employee of the cotton oil plant here, was smothered to death in a cave-in of cotton seed at the seed house of the oil mill plant in the southern part of town last night about midnight.

J. W. Canipe, night superintendent of the plant, states that Jenkins was in the seed house feeding out seed to the plant, and added that about 30 minutes before he found he had answered a call made by the superintendent. The seed stopped piling out and sensing something wrong the superintendent with others cut his way through the wall to find the colored man standing up, but buried under six or seven feet of seed presumably from a cave-in.

Another Slide of Seed Very Near

Jenkins, who came from Forest City but whose home is in Spartanburg, had been in the employ of the plant for two or three years, it was said.

Policeman's Son Is Unlucky Youngster

Shoots Self, Then Breaks Arm Playing At Shelby School.

Eventually young Edgar Cook, 10-year-old son of Policeman and Mrs. H. L. Cook, may claim Job's hard-luck championship.

Yesterday the young fellow while playing at the east Marion street school took a tumble in which he broke one of his arms.

On October 23 last, Edgar shot himself in the left leg, due indirectly to the burglary scare. Mrs. Cook asked her husband to leave one of his guns at home for her protection while he was on his beat during the time "the shadow" was entering Shelby homes. The officer pulled up one gun, loaded it, and left it for his wife. Edgar saw it, got hold of it, pulled the trigger and made a neat hole in the fleshy part of his left leg.

Now it's his arm, and the shooting, according to his dad, was not the boy's first tough luck. Some years back he cut the leaders and tendons in one of his arms and it took months for the wound to heal. Shortly thereafter he injured one leg. Since coming to Shelby he has been shot and has received a broken arm.

Policeman Cook wonders: what next? But the 10-year-old son seems to take his afflictions in a cheerful manner.

Uphold Decision In Silvers-Noian Case

The North Carolina supreme court this week affirmed the superior court decision in the case of J. W. Silvers vs. J. B. Nolan and company, of Shelby.

The suit centered about a note, and in superior court here the decision favored the Nolan firm.

Kiwanis To Invite State Notables For Gardner's Farewell

N. C. Supreme Court Studies Dog Trial Cleveland County

Blanton-Bridges Dog Case In Court For The Fourth Time This Week.

Down in Raleigh this week learned men and the savants of law on the North Carolina supreme court bench are trying to decide in a wise, dignified manner if "Lucy" was killed by a hit-and-run driver, or if "Lucy" herself was guilty of jay-walking and thus paid the price with her life. "Lucy," you understand, was the dog of Bate Blanton, well known Cleveland county farmer.

The case is that of Blanton vs. Bridges as officially recorded on the legal documents of the state, but there is very much more to the case than that.

This is the fourth time a court has been convened to render a decision as to "Lucy," and this time it is the highest court in the state which faces the knotty legal problem centering about one of Cleveland county's famous hounds.

Killed By Auto.

Those familiar with the case will remember that months back—perhaps years—the Blanton dog was alleged to have been killed by an automobile piloted by Charlie Bridges, another well known citizen of the county. Whereupon Mr. Blanton asked \$50 damages of Mr. Bridges. The case was first aired before a magistrate of the county. Then it moved up to superior court, where there was a non-suit, "dog-fall," or something like that. Another court term or so passed and again the case faced a supreme court jurist and jury. This time a decision was rendered, and an appeal taken to the supreme court—the last word of appeal in Tarheelia. Just what the last decision was is not remembered off-hand, but this week the supreme court will look over the merits of the case and decide about "Lucy's" death and the \$50.

Legal lights say that the opinion handed down in the Blanton-Bridges cases, and it is expected this week—probably Thursday—may be of much interest to the legal profession. This opinion may center about the learned court's decision as to whether or not a dog is considered capable of taking care of itself when it strolls out into a road, and, if not, is the auto driver to exercise more precaution for the canine stroller than for a human pedestrian?

As the dining room accommodations are limited, ladies will not be invited unless they happen to be elected to the general assembly. Kiwanis members will be allowed the privilege of inviting one male guest at \$2.50 per plate, provided proper notice is given to the club secretary that such a guest is expected.

THREE MONTHS FOR CLUBBING WITH GUN

Robert McBee Appeals From Sentence For Striking Sewing Machine Collector.

In county court yesterday Robert McBee, of the section between Boiling Springs and Cliffside, was given a three months sentence by Judge John Mull for an alleged assault on B. B. Birmingham with a shot-gun used as a club. McBee entered notice of an appeal to superior court.

According to the evidence it seems as if Birmingham, district manager for the Singer Sewing machine firm, visited the McBee home along with Charlie Hayes, local agent, to collect an amount said to be due on a sewing machine there. A dispute arose and Birmingham charged McBee with hitting him over the head with the barrel end of a shot-gun, inflicting a wound on the scalp necessitating several stitches to sew up. Evidence introduced by McBee was to the effect that Birmingham called him a vile name and advanced upon him.

Preliminary arrangements for this meeting of the following committee: O. Mull, J. S. Dorton, C. C. Blanton, Wm. Lineberger, Lee B. Weathers, Paul Webb, J. D. Lineberger and Oliver Anthony.

More Cotton Open Than Ever, McMurry

One of the big reasons why Cleveland county will this year make more cotton than ever, over 50,000 bales as estimated, is that a bigger percentage of the bolls have opened by natural process this year than ever before. This is the opinion of Mr. J. J. McMurry, veteran cotton man and head of the McMurry firm here.

Mr. McMurry says that this season has been the most perfect ever for cotton in Cleveland county and that more of the cotton has opened due to the warm, dry weather than in his memory.

Senators And Law-Makers To Attend Mammoth 300-Guest Meeting December 28th.

A great state occasion, the like of which has never been seen in this section, is planned for Shelby on the night of December 28th or 29th when Max Gardner, North Carolina's next governor will be given a farewell dinner by the Kiwanis club of which he was the first president.

The guest list will include all members of the next general assembly, both the state house and senate, numbering 170, all state officers, members of the supreme court, judges of the superior courts and a number of representatives of the daily newspapers in the state.

300 Guests. It is estimated that about 300 guests will attend and they will come from all parts of the state in an acquaintance meeting whereby Governor Gardner and the officials with whom he will work, will become better acquainted to work more in harmony for the state's welfare.

State-wide Speakers.

Such a gathering has never been seen in North Carolina outside the state capital as it will be virtually a meeting of the general assembly so far as guests are concerned. Of course the members of the general assembly will not have taken office, but matters of state will no doubt be discussed to some extent in a short speech from some leading man from each of the ten congressional districts.

Invitations will go out this week and the guests will be expected to decline or accept before Christmas in order that the management of Cleveland Springs hotel may know how many guests to provide for. Admission will be by card only and when guests have accepted, admission cards will be mailed to them.

It is expected that fully 100 members of the general assembly which meets January 9th will be here and that practically all of the state officials and judges will come as there will be a laxity in work during the holidays and these busy men can leave their duties very conveniently at this season.

Mull To Be Toastmaster.

O. M. Mull, state chairman of the Democratic executive committee who is to be the floor leader in the house of representatives will be the toastmaster and it is planned to have Clyde R. Hoey deliver the address of welcome. Most of the speech making will be done, however, by distinguished visitors from all parts of the state, men who are to have a part in the affairs of state during the Gardner administration.

As the dining room accommodations are limited, ladies will not be invited unless they happen to be elected to the general assembly. Kiwanis members will be allowed the privilege of inviting one male guest at \$2.50 per plate, provided proper notice is given to the club secretary that such a guest is expected.

Cleveland Dinner.

Forrest Eskridge has been named chairman of the decorations committee and it is planned to decorate the dining room and table with products of Cleveland county farms, such as cotton, corn, pumpkins, potatoes, etc. J. D. Lineberger who is arranging the menu with the hotel management plans to use Cleveland county products on the menu as far as possible, using native turkey, yams, etc.

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Copper Still Found By Officer Pruett

A copper still, of about 40-gallon capacity, was brought in to the sheriff's office here yesterday by Deputy S. A. Pruett, of No. 11 township.