

The Markets. Cotton (Spot) 18 1/2 Cotton Seed, per bu. 15c

A Little Warmer.

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SHELBY, N. C. FRIDAY, SEPT. 20, 1929.

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Today's North Carolina Weather Report: Fair tonight and Saturday. Not quite so cold in west and central portions.

Rutherford Jury In Marion Strike Trial Now Going

Rutherford Lawyers Added In Case As Jury Comes From That County.

Marion, Sept. 20.—The rioting and rebellion trial in the Marion strike case got underway yesterday with a jury picked from Rutherford county and with a couple of Rutherford lawyers appearing in the case after the jury was picked from their county.

A jury of 12 men was picked from the venire of 75 from Rutherford shortly after 3 o'clock yesterday. The jury selection was V. E. Davis, mayor of Forest City; C. M. Huntley, farmer; D. P. Beachboard, merchant; C. C. Butler, farmer; W. R. Curtis, farmer; John Green, farmer; J. P. Spakes, farmer; W. A. Bailey, farmer; J. L. Hamrick, lumber dealer; R. B. Tapp, school teacher; J. T. Bland, merchant; and J. H. Carpenter, furniture dealer.

With the jury coming from this county the prosecution was reinforced by the addition of C. O. Ridings, Forest City attorney, while the defense added Tom Moss to its roster of barristers to defend Albert L. Hoffman, organizer for the textile union.

Sheriff Adkin of McDowell was the first witness to testify.

Kings Mtn. Bank Lays Plans For Bigger Building

Sole Surviving Bank In Kings Mountain Finds Need For More Space.

Kings Mountain, Sept. 19.—Plans are under way by the First National bank of Kings Mountain for the enlargement of its quarters in the bank building on the square.

The bank at present occupies only half of the building, the other half being used by Wright's barber shop and Southern Jewelry store. These firms are to move out and the space they now occupy is to be converted into one large room and used by the bank.

The First National bank is the only bank in Kings Mountain since the failure of the Commercial Bank and Trust company earlier in the year. The present quarters is considered inadequate for the business that is transacted there now.

Officers of the bank are D. M. Baker, president; R. L. Mauney, vice president, and Wiley H. McGinnis, cashier.

The Home Building and Loan association is also housed in the same building.

Two New Furniture Stores Coming Here

Sterchi Brothers And Kesters Secured Leases For Furniture Stores Here.

Shelby is to have two more furniture stores. Sterchi Bros., of Nashville, Tenn., one of the largest furniture stores in the south, closed a ten year lease yesterday with the Blanton estate for the store room formerly occupied by the Stephenson Drug company which succeeded the H. E. Kendall drug store which operated there for many years. Sterchi Bros. will open for business about October 1.

Kester Bros., of Hickory, have closed a lease on the Mrs. Hester McBrayer two store rooms on N. LaFayette street, the store building formerly occupied by Ingram and Liles Co. These two store rooms are being remodelled inside and out, with an entirely new store front and the rooms will be stocked for an opening the early part of October. It is understood the Kesters are interested in a number of stores in large Carolina cities.

Mr. Curtis Weathers who is teaching in Long Island, N. Y., and attending Columbia university spent yesterday with friends in Shelby. Mr. Weathers is a former member of the Shelby school faculty.

SPORT NEWS

Items regarding football prospects, and also the city title game here Saturday will be found on PAGE EIGHT Of This Paper.

Final Rush On For Biggest Cleveland Fair Staged So Far

Shows And Race Horses Begin Arriving Tomorrow, Workmen Active Over Big Track.

Out on Highway 20, just a mile or two east of Shelby, the last minute rush is on today in preparing the 56-acre Cleveland County fair tract for what promises to be one of the greatest farm events ever put over in the South other than by an entire state.

All this week contractors, carpenters, plumbers, painters, electricians and laborers have been swarming about the big tract erecting new buildings, new stands, leveling athletic fields and additional midway ground painting the big grandstand, erecting light lines, and preparing in every manner possible for the city of 25,000 to 50,000 people which will spring up overnight and continue through a week's gayety.

"There isn't any doubt in my mind now but what it will be by far our biggest fair," says Secretary Dorton as he directs a swarm of activity. "And what I mean by that is that thousands more will attend this year than have ever attended and we're going to give them a bigger treat than they've had."

Attractions Arriving.

Several of the fair attractions have already arrived, these including Madam Bedini and her stunt horses which will be one of the features of the new free acts. Race horses by the dozen will begin coming in tomorrow, Sunday and Monday, while the big Rubin and Cherry shows, who already have advance agents here, will be in Saturday night. Monday morning exhibitors will begin filling the big exhibit halls with their displays. And during the day Monday one of the new exhibit entries will start filling in as scores of beef and dairy cattle from the mountains to the west begin to arrive. These cattle are coming from Caldwell, Burke, Avery, Yancey and Mitchell counties.

In fact, everything is set for the city of 25,000 to spring up over the week-end. Hundreds who haven't seen the big fair tract since last year will hardly recognize it this year with its new structures and arrangement.

A Big Dog Show.

One of the biggest side events this year, officials say, will be the dog show. From entries piling in it is estimated that three or four hundred dogs of all types and classes and coming from three states will be entered.

The No. 6 township chain gang, working under Supt. Clyde Poston, has been busy all this week putting the finishing touches on the race track and preparing the new football field in the middle of the race track. By next week the new athletic field will be complete and ready for the big college game on the closing day, Saturday, between Lenoir Rhyne and Presbyterian college of South Carolina.

In outlining the final preparation plans Dr. Dorton has issued a call for all workers with the fair to meet at the big grandstand Saturday morning at 10 o'clock. At this meeting the workers will be organized for the big week just ahead.

The Fashion Show.

Much interest is being shown by the women of Shelby and Cleveland county in the big cotton fashion parade which is to feature the fair program on Friday morning at 9:30 in front of the grandstand.

Miss Yerkes, Champion Racer To Perform During Fair Here

Belongs To Mrs. W. N. Reynolds, Of Winston. 100 Horses To Enter.

The horse which holds the world's record for the half mile will be in the free-for-all races and the 11 trots at the Cleveland county fair four days next week.

The horse is "Miss Yerkes" and is owned by Mrs. Will Reynolds, of Winston-Salem. Mrs. Reynolds will have five other fast horses in the local races, which open the Carolinas trotting season.

By the manner in which entrants are being made it is now estimated that close to 100 horses will be seen in action during the four days of racing.

Trader Who "Swaps" Most At Fair Here To Get Texas Saddle

Horse Traders Who Flock To Fair Trading Ground To Stage Contest.

A new blue ribbon is to be passed out at the big Cleveland county fair next week. It will go to the best horse trader who attends the fair and does his trading on the "horse swapping" ground set aside for the traders by Secretary Dorton.

Mr. W. Pink King, veteran Shelby trader, has been placed in charge of this event by fair officials, and he announces that "I'm going to give a Texas saddle to the man who swaps the most."

"There's going to be action on that spot," Mr. King says. "From reports I get there will be horse traders in here from nearly everywhere and they'll have strings of swaps from plugs up to classy saddle horses. Of course, the more trading there is the more kick we'll all get out of it. That's why I'm giving the saddle to the champion swapper."

Extra Patrolmen To Work Here For Fair

Lieutenant And Two Patrolmen May Help Handle Thousands Attending Fair.

North Carolina's new highway patrol is going to do its part to prevent any serious auto accidents here next week when thousands of people from a dozen counties will pack into their cars each day for trips to and from the Cleveland county fair grounds.

According to reports received by officers here another motorcycle patrolmen will be sent here to assist the patrolmen already in this section to watch motor traffic in the congested area. It is likely, too, it is said, that the patrol lieutenant for this district will be here with the two officers.

Cotton Is Opening Fast; Buyer Still Sees 60,000 Bales

Rainy And Cool Weather Has Hampered Opening Some. Much Being Picked.

Cotton is opening rapidly all over Cleveland county and quite a bit has been picked this week and last, according to farmers in Shelby on business late this week.

"It is opening fast," one farmer said, "and much more would have been open by now had it not been for the rainy spell which was followed by the cool weather of Wednesday night and Thursday."

To Break Record.

John D. Campbell, cotton buyer for Lowery brothers of Columbia, S. C., who keeps in close touch with the county crop, stated yesterday that he would stick to his early estimate of 60,000 bales this year in the county. Nothing has happened to the crop so far to injure it to any extent he says and it will be the biggest ever produced in the county.

Worry Brings On Age

If Aunt Myra had any advice to offer during the eventful day it was "Don't worry. Worrying will age you before your time." Her longevity was attributed to her lack of worry. "I have always tried not to worry about anything," she said. "I've always done by best to treat everyone right so that I would have nothing to worry about."

One Of 8 Now Suing Sheriff Is Citizen Cleveland County

Taylor Shylte, one of the eight alleged Communist who have filed \$10,000 damage suits each against Sheriff John Irvin, of Mecklenburg, is a resident of Kings Mountain. The eight were arrested in Charlotte last week on a conspiracy charge after it was said riot guns and ammunition were found in their possession. The charges were later dismissed and then the damage suits were filed.

Gas Firm Asks For Franchise On Plant Here

City Officials Are Guests Of Kiwanis When Gas Vice President Speaks.

N. H. Gellert, vice president and general manager of the Atlantic Gas company of Philadelphia, and C. M. Sturkey, one of the officials for North Carolina, spoke before the Kiwanis club at Cleveland Springs last night when they sought a franchise for a gas plant in Shelby. Mayor McMurry and members of the board of aldermen were guests with Earl Hamrick in charge of the program.

No concrete proposition was made by the Atlantic company but Mr. Sturkey had appeared before the city fathers a few weeks ago and sought a franchise with the promise that his company would build and maintain a plant costing several hundred thousand dollars. The Atlantic Gas Co. owns and operates plants in a number of other North Carolina cities.

Mr. Gellert, who is one of the outstanding gas engineers in the country, urged that the reliability of his company be investigated and stated that Shelby should no longer delay a gas plant for many manufacturing plants and home seekers are looking for cities with such a public utility. He pointed out advantages of a privately owned plant over a municipal plant, saying the business was highly technical, and that its erection and operation and that the merchandising of gas appliances should be in the hands of specialists and trained men whose practical experience assured success.

Mountain Institute Appeal.

The cause of the South Mountain Institute, a mountain school for homeless boys and girls was presented by Miss Haggard, a member of the faculty who told of the struggle through which the school is going and of the work it is doing in that remote section of Rutherford county. After Miss Haggard mentioned that the only touch of school had with the outside world was its radio which was out of commission, Mr. Gellert of Philadelphia authorized her to have the radio fixed and send him the bill.

Miss Haggard invited her listeners to visit the institution at any time.

Active At 94 Years She Accredits Age To Lack Of Worry

Aunt Myra Phillips Enjoys 94th Birthday Event, Threading A Needle.

Just a short time back "Aunt" Myra Phillips, aged 94, who lives with her grandsons, John and Frank Hicks, near Shelby, broke down and cried a little. Her grief was that for the first time in her 94 years she was unable to see well enough to thread her needle.

Otherwise, if you please, Aunt Myra is moderately healthy and enjoying life. At least she seemed that way yesterday when her descendants gathered at the Hicks place, near Rehoboth, to help her celebrate her 94th anniversary. Thirty-five grandchildren were present in addition to numerous other descendants. Among those from Shelby and Kings Mountain present for the occasion were Policeman Clay Hicks, of Kings Mountain, a grandson; and Dr. Zeno Wall, Dr. Ben Gold and Dr. Sam Schenck, of Shelby. Other relatives and friends came from South Carolina and other points.

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Peacock Helps select Jury



Earl Peacock on trial for the murder of his wife in the Superior Court at White Plains, New York, aids his lawyer in the selection of a jury. His remarkable self possession during the trial is considered an indication of iron nerves, as the battle for his life passes on to the critical stage.

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Returns After 25 Years, Finds 3 Of Family Dead, He Dies

A Famous Grid Star To Play Here In Saturday Game

In addition to seeing a good baseball contest here Saturday, in the Eastside-Cleveland cloth mill game, Shelby athletic fans will get to see an All-American football player in action—this time as a baseball performer.

Reports here today had it that Tom Nash, who was picked on the all-American eleven two years ago while playing end for the famous Georgia eleven, will play third base for the cloth mill. Nash played for Asheville this year and was one of the heaviest hitters in the league.

Spurling To Be Candidate Again; Hears Judge Talk

Has Heard Names Of Warlick, Falls And Mull Mentioned Often.

Spurgeon Spurling, of Lenoir, a native of Cleveland county, will likely be a candidate to succeed himself as Superior court solicitor for this district, according to conversation he had with friends in Shelby yesterday while stopping here en route to Kings Mountain to probe the Tessenner kidnaping.

The information that he will be a candidate again was generally taken for granted in this section as very little talk has been heard of anyone opposing him.

For Judgeship.

Asked if he had been hearing much political gossip over the district concerning candidates for the judgeship which will be vacant when Judge James L. Webb retires at the end of the year, Mr. Spurling said that he had heard some gossip.

"I hear the names of Wilson Warlick, of Newton, and of B. T. Falls and John Mull, of Shelby mentioned right often," he said. "I am also told," he added, "that the Lincoln county bar has endorsed one of their fellow members, Attorney Quicke, as a candidate. Others, of course, have been talked also, but the political fever isn't so hot as yet."

Former Governor Of South Carolina Here

Hon. Thos. G. McLeod, former governor of South Carolina, was a business visitor in Shelby Wednesday. The ex-governor, now an official of the Life and Casualty Insurance company was in Shelby as the guest of W. V. Fincher, local agent, and Mr. Fincher accompanied him about town calling upon numerous Shelby leaders.

Officials Can Find No Clue To Beating Of Kings Mtn. Man

Tessenner Family Sees Photos In Papers, Pleased

"Here We Are." Wife Of Kidnaped Man Says To Solicitor, Showing Him Newspaper.

Mrs. Cleo Tessenner, wife of the union man who was kidnaped and beaten Tuesday night, and her 10-year-old son, Howard, seemed more interested yesterday morning in showing Solicitor Spurgeon Spurling their pictures in the Charlotte Observer than they did in helping him secure information about the identity of the men who kidnaped Tessenner.

When Solicitor Spurling, Sheriff Irwin Allen, Weaver Myers, young Lenoir lawyer, and a Star reporter visited the Tessenner home early yesterday for Solicitor Spurling to begin the investigation ordered by Governor Gardner, Mrs. Tessenner, her little son, and Tessenner's sister, were seated upon the front steps looking at the Charlotte Observer, which contained a photo of Tessenner in his bed in Charlotte with his wife and little boy seated on the edge of the bed.

Show Photo.

"Mrs. Tessenner," Spurling informed her, "I'm the solicitor for this district and I've come to see what I can do about locating the men who took your husband away. Right bad experience for you, wasn't it?"

"Yesir," answered Mrs. Tessenner. "Here's our pictures in the paper. Did you see them?"

And with that she reached over and took the paper from the hands of the youngster, who was gazing at himself, and handed it to the solicitor. From that time on during the hour or so that the solicitor questioned her and neighbors about the kidnaping constant reference was made to "our pictures in the paper."

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Tessenner, Kidnaped Union Man, Came Of A Cleveland Family

Father From This Section And Connected To Cleveland Tessenners.

Cleo Tessenner, the textile union man who was kidnaped from his home at Kings Mountain Tuesday night and flogged by three men, is descended from a branch of the Tessenner family in the Cleveland county section, although he spells his name differently.

At the Tessenner home in Kings Mountain yesterday a sister of Tessenner, a Mrs. Johnson, of Gaffney, told a Star writer that "dad came from up here in Cleveland county, North Carolina, somewhere. Our name is spelled a lot of ways but Cleo spells his Tessenner. Some of us spelled it other ways."

Born In S. C.

Cleo, the sister informed, is not "a furrier," neither is he a native of Maryland. He was born, she said, at Gaffney, in South Carolina, and had lived at Gaffney, Spartanburg and Kings Mountain before they moved to Baltimore, where Tessenner's wife said, they lived only about four months before coming back to Kings Mountain.

Some Pupils Demoted Instead Of Promoted In New Shelby System

Life has its ups and downs even in the school room. That is a bit of psychology Shelby school students are learning this year along with their other attainment of knowledge.

Ordinarily school children move up a grade each year, or, at least, they are supposed to. Those who fail to move up a grade due to "flunked" work usually just remain where they are. But reports from the Shelby city schools, operating under a new system this year, have it that a number of students have been demoted a grade or two instead of being promoted a grade.

The new system, under the supervision of Supt. B. L. Smith and Principal W. E. Abernethy, decided at the outset of the school year to determine if all students were in the grades they should be in. Past records of all students were studied and intelligence tests were given. Presto! Some ninth graders of last year became eighth graders this year, and eighth graders of last year became seventh graders, and so on. In one or two instances, reports have it, students were shoved back two grades, to where they should be according to a study of their past achievement.

Search For Those Who Kidnaped Tessenner Fails To Develop A Single Clue.

(By RENN DRUM.)

Three North Carolina officials, one the sheriff of Cleveland county, yesterday and last night learned that seeking the three men who kidnaped and beat Cleo Tessenner, union organizer, at Kings Mountain early Wednesday morning was much like hunting for the proverbial needle in the haystack.

At dusk yesterday Solicitor Spurgeon Spurling, of Lenoir, and Sheriff Irwin M. Allen, of Shelby, both ordered by Governor Gardner to probe the kidnaping in his home county, were ready to admit they were stumped. And Tessenner and his family were not critical of the blank wall the officers faced, because they agreed that they could think of not a single fact to start the officers at work upon.

Judge N. A. Townsend, Governor Gardner's executive counsel, was also in the county aiding in the investigation, but neither could he assemble any clue of importance with which to push the probe.

No Way To Start.

Officers, beginning their investigation early in the day, found themselves facing a blind trail, or a smoothly covered procedure. Solicitor Spurling arrived in Shelby early yesterday morning and accompanied Sheriff Allen and others to Kings Mountain to question Mrs. Tessenner and her neighbors. The questioning and investigating continued through the day, without success, but Sheriff Allen, not ready to give up, made a night of it as well by taking Police Chief Hedrick, of Kings Mountain, and Deputy Ed Dixon with him to Charlotte last night, where he talked with Tessenner, in his bed at the Charlotte hotel, hoping to pick up some clue from the victim of the kidnaping. But in the early hours this morning he had not scented a trail that might lead to something.

"We've never seen those men before, and we've no idea where they came from," Tessenner and his wife both declared. "We would know them if we ever put our eyes on them again." And that failed to give the officers a lead of any value.

Not A Suspicion.

The probe likewise was balked in learning anything about the dynamiting of the union platform in the northwest Kings Mountain on the same night of the kidnaping. Before returning to Lenoir Solicitor Spurling said "We haven't been able to find anything on which we could hinge even a suspicion. It appears as if the mob planned everything well before they did it, and if they left anything uncovered we have failed so far to find it."

Sheriff Allen, who knows his Kings Mountain because he was police chief there for years before becoming sheriff, after two days and a night of sleuthing about reached the conclusion that Tessenner's assailants must have been visitors to Kings Mountain. The sheriff is probing about his old hometown for information was unable to find a single person, in any walk of life, who had an inkling of the inside of Wednesday morning's happenings, and he found the majority of them uninterested, either way, in the textile labor disturbances.

Repeat Stories.

Tessenner and his wife repeated practically the same stories to the solicitor and sheriff as have appeared in the newspapers. Their 10-year-old son offered the only discrepancy. "Five men," he said, "came and got dad." Questioned the little fellow could remember and account for the presence of only four. Two he said came into the room and dragged his father out, one remained on the porch and another remained at the wheel of the car. Where the fifth man was

(Continued on page twelve.)

IT'S NOBODY'S BUSINESS

How Gee McGee Can Write Humorous Events. Turn to the Editorial Page of This Issue And Read The Wittiest Feature Published

Gee McGee's "NOBODY'S BUSINESS"