howers tonight, changing to now flurries in mountains. Sat-

rday partly cloudy and colder.

Member of Associated Press

SHELBY, N. C. MONDAY, FEB. 17, 1936

Published Monday, Wednesday and Friday Afternoons.

Carrier, per year, (in advance) -

By Chief Justice Hughes

At 1 O'Clock.

(By Associated Press)

The government won a major

today when the 9 justices held

Wilson dam at Muscle Shoals.

Chief Justice Hughes hand-

before a crowd of prominent

lawyers and members of Con-

Only power from Wilson dam had

been sold by the TVA. An eight to

one decision, read by Chief Justice

Hughes and with Justice McReyn-

olds dissenting, held that federal

disposition of power was a question

for congress to answer. . not the courts. The court upheld the right

of the government to dispose of all

surplus power made at dams in-tended to promote navigation or

No Limitations

in the constitution to limit the gov-

The general purpose of TVA, it

"The Tennessee river is a navig-

reposed powers over navigation in

river is not adequate for commer-cial navigation," he said. Adding

present case was validity of a con-

tract for sale of transmission lines

by the Alabama Power company to

The chief justice dismissed at the

start the contention that those

suing had no right to do so be

was decided, present no "jus

the federal government.

Another Problem

TVA.

"In its present condition

He said the government ewned

aid national defense

WASHINGTON, Feb. 17 .-

# TVA RULED CONSTITUTIONAL IN 8-1 COURT DECISION

## Italy Claims Smashing Victory Over Selassie

Sweeping Advance Is Made In North By Duce's Forces

5,000 Ethiopians Said To Be Killed

Capture More Than 3,000 Square Miles Territory In Six Days.

(By Associated Press)

Chaims of a great Italian victory in northern Ethiopia were put forward in Rome today as the Italian government announced the most sweeping advance of troops in the north since the early days of the war. The Italians said they had captured 3,000 square miles of territory in a six day battle which brought death to 5,000 Ethiopians and wounds to 15,000.

The total alleged Ethiopian casualties is the same figure advanced by the Ethiopians last week concerning the Italians. Italian casualties in the battle were said by the Italian government to have been 1,500, of which less than 500 were killed.

Claim Desertions

The Ethiopian government sta that 4,000 Italian native troops had deserted from their commands on the southern fronts and gone to the British colony of Kenya. The Italians denied this.

With most European nations serfously concerned with their armament the British government asked ing to the equivalent of \$39,055,000 for its fighting forces for "special measures taken in connection with the Italian-Ethiopian dispute."

was understood in London that other nations in the agreement. France, Greece, Jugoslavia, Turkey, Roumania, Spain and Checkoslavakia likewise had rejected the pro-

#### Westminster Choir To Sing In Shelby To Limited Group

The Westminster Chorus, most famous cappella choir in the world and conducted by John Finley Williamson, its original founder and dinoon and will be given a luncheon at the Central Methodist church.

Following the luncheon the chorus will give a number or two, to a limited group of people.

This announcement came today from Miss Nettie Rayle, director of church, and a former member of the choir. Miss Rayle took training under Dr. Williamson for four years and traveled with the choir three

Report Sell Out.

A complete sell-out of the limittend the Shelby luncheon was reported this morning by Miss Rayle. Dr. Williamson and his group will be here for only a short time. It was only because of Miss Ravie's former membership that the group came to

Mas Rayle pointed out however, that the regular program of the Thursday night in the City Auditorium in Charlotte, beginning at

(Continued on page eight)

THE MARKETS Cotton seed, wagon, ton \_\_\_ \$33.00

10.61. Oct. 10.26, Dec. 10.24.

Bruno's Lawyer In Good Talk



After having a "satisfactory" talk with Bruno Hauptmann in the Trenton State Penitentiary, Samuel Leibowitz, noted New York criminal lawyer refused to confirm rumors that the condemned man had confessed He's shown surrounded by reporters as he left the prison,

#### Leader Says U.S. 'Tinkering' Cause Of Cotton Price Fall

#### 38% Reduction Harvested Acres Cotton Reported for the two of March 11, 1935.

reduction of 38 percent in the har- est cotton merchandising firms said vested acreage of cotton in 1934 as Italy protested against the Medi- compared with 1929 was reported to- ditional sense, that prices are nor- went to Spartanburg to bring him 1937 taxes. terranean Assistance Agreement day by the census bureau. The mally established by competitive to Shelby to stand trial. was rejected by Great Briain. It figures were based on the 1935 fed- buying and selling. During that eral farm census, the first since whole period the predominating

> The acreage decrease was accomfected all comparisons with the governmental move will be." preceding census, adding:

"One of the most significant features of the statistics is the reduction Inventor Is Dead tion of cotton grown per farm from LA JUNTA, Col., Feb. 17 .- (A)drought west of the Mississippi. "All territory east of the river, except the state of Mississippi, shows

### rector will be in Shelby Friday at Abernathy Named

material gains in yield per acre,"

Prof. W. E. Abernethy, principal of the local high school, was elected resident of the Schoolmasters' Club music at the Central Methodist of the South Piedmont district, at 15 Cars Derailed their regular meeting in Salisbury

Superintendent B. N. Barnes, of freight were detailed at the edge Kings Mountain, was elected secretary.

WASHINGTON, Feb. M. (P) agriculture committee's investigation of cotton future exchanges, W. L. Clayton of Houston, Texas, today blamed government "tinkering" for the two cent price break on

WASHINGTON, Feb. 17.-(A)-A ton & Co., one of the world's largand voice of government."

panied by a production drop of 35 and discretion in fixing merchan- Dale and Lloyd McCraw. percent but the bureau stressed that dising and manufacturing policies

21.8 to 13.9 acres coupled with the Hiram Percy Maxim of Hartford, increase that is found in the yield Connecticutt, internationally known despite the havoc wrought by the inventor and mechanical engineer, died in a hospital today of a throat infection.

Dies Suddenly

NEW BERN, Feb. 17 .- (A)-Thomas D. Warren, 64, well known east- trade in the mountains. ern Carolina lawyer, political leader School Men Head and former chairman of the State Democratic executive committee, died suddenly at his home here early today of a heart attack.

MARSHVILLE,... Feb. 17.-(#)-Fifteen cars of a Seaboard Airline

#### A complete sell-out of the limited number of persons who can at-By Officers; Property Returned

ing the week-end. Cleveland offisymphonic chorus will be held cers aided greatly in tracing the Thursday night in the City Audit tangled clues and recovering nearly 100 gallons of molasses and about stolen goods in his possesion. 1,000 pounds of meat.

Lawrence Brown and Ed Jamison both of whom are said to live near Shelby have been arrested and are Sheriff Lake W. Stroup said.

Cotton, spot \_\_\_\_\_ 11% to 12%c being held for trial in Gaffney.

James W. Lipscomb, Cherokee the meat. The remainder had evi-New York cotton at 2:30: Jan. County farmer of the White Plains dently been consumed, officers de-10.35. Mar. 11.28, May 10.90, July section. The warrants were issued by Magistrate Z. Boyd Sarratt.

and molasses stealing evidence was ing 97 gallons of molasses and ap- away. presented in Cherokee county dur-proximately 700 pounds of pork from the Cherokee man. The war- and was strictly honest and uprant for Jamison charges aiding right and was held in high esteem and abetting in robbery and having He joined the Baptist church at

The produce allegedly stolen by County officers succeeded in lo-

Warrants for the arrest of Brown cating and returning 57 gallons of and sisters. Cotton seed, car lot, ton \_\_\_\_ \$36.00 and Jamison were sworn out by the molasses and several pounds of

(Continued on page eight)

#### Walker Wylie, 89 Confederate Vet Is Buried Sunday

Death Breaks 66 Year Marriage Tie

One Of County's Oldest Men Dies Quietly; Interment At New

community leader of the Earl and lower Cleveland county, has answered the bugle call to join the boys in gray across the river, leaving less than a dozen veterans of the Civil war in this county.

Rites were held Sunday afternoon at 3 o'clock for Mr. Wylie, being conducted by Rev. J. W. Suttle and Rev. Rush Padgett at the New Hope Baptist church at Earl where he had been a member since early youth. He died at his home in the Rock Springs section Saturday after a period of general ill health. Married 66 Years

In his death one of the oldest marriage ties of the county was broken, he having been married to Mary Cline in 1870, who survives him with the following children: Lloyd Wylie, Mrs. John Crawford of Earl, and Miss Frances Wylie at home. One son, Gilbert Wylie, died six years ago. There are also 10 grandchildren and 17 great grand-

At the age of 16 he enlisted in the for hours explaining to the younger generation the hardships of the war

Much Hospitality He was a man given to great hospitality. Friends and strangers alike found a welcome at his door. For many years this hospitality (Continued on page eight)

#### Paul Thompson Brought To Town ty of \$5,000 in taxes. In Last Round-up

Thompson will stand trial here in the March term of court and will tax listers of the county the first price influence has been the hand plead guilty of a part in the robbery. Monday in March and listing will He said, "Experience, judgment now serving sentences are Curley groups of men April 1.

the drought of 1934 seriously af- of cotton have given way to a affair caused quite a little comment come from some other source, but guessing contest as to what the next and stir and Sheriff Cline and they did not indicate whether or Deputy Gus Jolley climbed all over not the tax rate will have to be Hogback Mountain just over the raised. South Carolina line to make the A bulletin which contains advice Paul after all.

have robbed the Ora store of about State Board of Assessment. \$75 or more worth of goods and were using them as living supplies

#### Lester Howard, 44 Of Double Shoals Is Buried Friday

died at his home near Lawndale late Wednesday, a few hours after his return home from the Shelby ospital where he had been a paient suffering from cancer of the

Seeing that he could not live many hours and at the request of his family he was permitted by the hospital to return home. After greeting his neighbors and friends A complete round-up of the meat | housebreaking, is accused of steal- for several hours he quietly passed

Mr. Howard was a fine citizen Double Shoals' when just a boy, later moving his membership to the two Cleveland county men was the two Cleveland county men was with the two Cleveland county men was member until death. Mr. Howard with the Commercial Factors core leaves a widow and eight living children, along with some brothers

charge. Interment was in the Dou- 77-B of the bankruptcy act on presentation of "Sun-Up" starring

#### In Olympics



Sport experts believe Helen Stephens, 18-year-old Fulton, Mo., girl pictured above, will win points for Uncle Sam in Ger-many this summer. She has tied the world mark for the 50-meter ord for the 8-pound shotput, and won the standing broad jump in preliminaries of the women's na-tional indoor A. A. U. meet in St. Zouis.

#### County Will Lose Confederate war and served until In Exemption Of the war was over. He loved to sit In Listed Livestock

Livestock Included In \$300 Persons Property Exemption This

personal property exemption was agents for county taxes who were informed of this fact this week by gram will follow. forecast by tax officials today to be Frank K. Parker, Agricultural Staa law which will rob Cleveland coun-tistician of Raleigh.

Paul Thompson was in the "last for livestock owners whose person round-up" of the Keeter Store rob- property does not exceed \$300. It from the records of many years. "For the past six years, there has bery last February when on last was passed last year by the state been no cotton markets in the tra. Saturday Sheriff Raymond Cline legislature and will apply on 1936-

> The commissioners will appoint Associated with him and who are begin in all townships by the eleven

Fear was voiced by county offic-At the time of the robbery the lass that the revenue may have to

capture of the youths, not taking and instructions relative to listing and assessments has just been re-They did however round up 26 ceived at the office of the county gallons of moonshine liquor in the commissioners from Thomas W. Alexander, assistant to A. J. Max-The three youths are alleged to well, head of the North Carolina

Issues Bulletin.
The bulletin contains instructions while they plied their moonshine to the tax supervisors, gives definitions of real and personal properties and gives the exemptions in detail. Personal property of individuals in the only class in which livestock gets exemption. This is included along with farm machinery. household goods, and scientific instruments. All animals found on the farm may be included, if other per-Lester Howard, well known 44 sonal property does not exceed the year old Cleveland county farmer, \$300. If so, the regular tax rate will be paid on them.

There are approximately 13,000 taxpayers in Cleveland county.

#### **Eton Mill Gains** New Selling Agent 27-28 Slated To Draw Hundreds

A pick-up in activity was expected to result in the operations of the Eton mill following an order just signed by Judge E. Y. Webb in

The order authorizes J. R. Dover jr., and Earl Hamrick, trustees of by the Community Players when ent in Shelby and for the amateurs missing the mill to enter into an agreement the club makes its first official ap- we have to show their wares to the with Arthur S. Lever and E. S. pearance for 1936. Frenau as selling agents for the with the Commercial Factors cor- bel Hoey, sponsorship of such a of real talent here that will literporation of New York city to cover feature was one of the many things ally draw an audience off its feet." Disastrous Fire

The Eton mill, which is capital-

Take No Action On Construction

Statement Presents Views Of Town On Matter; Would Be Just As Cheap.

The proposal of the state highway department to eliminate the dangerous crossing at Kings Mountain on Highway 20 with an overhead bridge may be changed to a proposal for an underpass according to a statement from Mayor J. E.

An engineer was in the city last

In either of the cases Kings Mounthis reason the mayor and town

Mr. Herndon. "The present railroad crossing, in my opinion, is not nearly so danger-

ous as this overhead bridge would be. The highway department is looking for a straight road through our town if it is possible, but they

(Continued on page eight)

#### **Cleveland County** On Honor Roll in Farm Census List

"We have made the honor roll," was the proud report of listing

This means that the tax listers On the other hand it will be a law have secured and reported an almost perfect percentage of farm survey al taxes. The "honor roll" is taken

Cleveland made a grade of 97 per cent perfect as one of the 12 leading inties in the state nearest the top. Cabarrus and Stanly were the only other two counties in the Piedmont section that ranked high-

Hertford county led with 99.6 percent perfect for reports made in the

Mr. Parker pointed out in his citation that E. L. Dillingham, agricultural teacher from this county had proved by his reports a yearly shift from one crop farming to diversification, the growth of food, feed and soil improvement crops in his community and in the county.

### Lawndale Negro

J. H. Wells of Morganton appeared in recorder's court today and will appear again Friday in\_ connection with the death of Mann Tolbert, 22 year old negro of Lawndale. Tolbert died Sunday after he

is alleged to have been run down Although no evidence has

been brought out, the negro is alleged to have been drunk and with two or three others was walking in the road, and Mr. Wells was unable to dodge all three of the men.

Major Bowe's program, or the

Mrs. Clyde R. Hoey and possibly an

Variety Hour Planned February

A Variety Hour, Amateur's Night, Jall-musical program.

### Herndon Suggests No. 20 Crossing Government Is Victor To Be Underpass In Right To Dispose Of Its Surplus Power

### Schools To Open McReynolds Gives Again Tuesday; Dissenting Vote; Roads Still Bad Many Hear Ruling

12 rural high schools of Cleveland No Restriction On county was announced today by US Owned Goods week discussing with officials sev- Prof. J. H. Grigg and the county eral different plans for the safe board of education after a meeting routing of the highway through the of the rural principals Saturday and Long Awaited Opinion Read the warmer and clearer weather.

tain will be called on to pay the mately 4,500 pupils, 200 teachers and damages for propertly damages. For 50 bus drivers back on the job, aftcouncil have not yet signed an worst period of weather the county school system has ever had to face. victory in the supreme court Many of the units of rural roads will even now be unable to get bus service from the schools, but offic- the TVA could dispose of sur-

ials feel they will have to get the plus power manufactured at schools started again to keep from running so long in the spring. The athletic schedule of most of the schools has been so disrupted, ed down the detailed ruling some of the schools are six to eight games behind. This will delay the annual county tournament, unless

ome form of cancellation is agreed gress at 1 P. M. will hold its regular monthly meeting tonight. The club will be the uests the first part of the evening of the Parents Teachers Association of Shelby and will meet in the Womans Clubroom over Wray's De-

#### 3 Local Nurses Pass State Exam

their ernment's disposition of the power. training at the Shelby hospital were included in the list released yesterday, certifying that they have met the requirements of the state board of examiners for nurses and are now registered members of their ing the thesis that the constitution

The successful candidates Miss Edith Irene Bogue, Miss Emily Virginia Davis and Miss Eunice Matilda Hamrick. Miss Bogue is still connected with

the local hospital, Miss Davis is that the only thing involved in the with a Goldsboro hospital, and Miss

#### Father Of Teacher Dies At Boone Home

BOONE, Feb. 17.-James L. Winkler, 74, prominent in civic life and they were preferred stockholders of church work here and a member of the Alabama company. Justice Branone of the oldest families in Wau- deis had, by implication, questioned Killed By Auto tauga county, died at his home here their right. yesterday afternoon at 3 o'clock. He had been ill a year but his condi- its door against such actions," h tion had been serious for only a

> Mr. Winkler is survived by his widow and five children, Miss Atte Winkler, a member of the LaFave to school faculty here, Mrs. George Thomason and James Winkler of Hickory, Cloy of Sparta and Frank of Sylva. Miss Winkler left for her home yesterday afternoon after be-

ing notified of her father's death. The funeral, held today at 2:30 at man and Miss Elizabeth Roberts.

(Continued on page eight.)

#### "A court of equity should not shut **Marion Officers** Recover Stolen

Goods in County

A party of officers headed by the McDowell county sheriff were in Cleveland county late Friday and the Methodist church in Boone, was while here recovered part of about attended by Mr. and Mrs. Roy New- \$400 worth of goods stolen in Marion last week.

Two ladies coats, one of which was a womans fur coat valued at \$50 or more, two dresses and a man's coat were found at the home of Noah Pope of near Boiling

Mr. Pope admitted that some persons came to their home earlier in the week and left the goods there. "The variety hour to be staged on The McDowell officers took the Spring Parade have all been sug- February 26 and 27 will be in the goods and expressed disappointested as names of the program to school auditorium and will be for ment at not finding what was said the purpose of discovering new tal-

> Several persons thought to be connected with the robbers are re-

planned for the spring and summer. The first night will be for rehear-Among the other projects in line sals and elimination only, with VALPARAISO, Chile, Feb. 17-(A) -Between 17 and 30 persons burifed to death early today in a fire which started among movie films in the Italo-Chilean Cinema building