

MARION PROGRESS

A WEEKLY NEWSPAPER DEVOTED TO THE BEST INTEREST OF THE PEOPLE OF MARION AND McDOWELL COUNTY.

ESTABLISHED 1896

MARION, N. C., THURSDAY, JULY 25, 1929

VOL. XXXIV—NO. 3

STRIKERS BOUND OVER TO COURT

Losing Effort to Dismiss Case,
Defense Offers No Evidence
—Bonds \$150 to \$300.

Charged with an assault upon R. W. Baldwin, president of the Marion Manufacturing Company, 17 striking employes of the mill Wednesday morning were bound to Superior court, at the conclusion of a preliminary hearing before Judge John H. Harwood.

The defense offered no evidence at the court session Wednesday, after having lost in their effort to have the case dismissed Tuesday afternoon, when the case was resumed after having been continued from last Friday afternoon.

Bonds for the 17 defendants ranged from \$150 to \$300. John Wikke, the man who is alleged to have struck Baldwin on the head with a club when the latter attempted to lead a group of employes through the picket lines, was placed under bond of \$300.

A large crowd assembled for the hearing, which was short, since no evidence was heard. The case will come up for trial at the next term of McDowell Superior court, in September.

Approximately 650 of the 700 employes of the mill have been out on strike for the past several weeks.

The trouble occurred at the mill last Thursday morning when Mr. Baldwin is said to have approached the property with the new men with the apparent intention of having them unload some cotton and do other work about the mill. The men on guard are reported to have agreed that Mr. Baldwin could enter the property but declined to let the new men through the line. In the argument that followed Mr. Baldwin was struck on the head with a stick, inflicting scalp wounds. The men were arrested Thursday afternoon by Sheriff Adkins. The arrests were attended by no violence.

The hearing in the case of the 17 employes who were charged with conspiracy to assault Mr. Baldwin was continued Friday until Wednesday, following presentation of the evidence of the prosecution. A. F. Hunt, superintendent of the mill, present at the time, testified that Mr. Baldwin was struck with a club by John Wycle, one of the seventeen indicted, but neither Mr. Baldwin nor Sheriff O. F. Adkins, also present, could state who wielded the club.

The hearing before Judge John H. Harwood, presiding in McDowell Superior court here, was featured by a brief talk by the jurist, in which he asserted the right of a property owner to go on his own property, and to hire and "fire" at will, and declared efforts to interfere with these rights constituted an assault.

In the course of his remarks Judge Harwood declared that the management and officials of a mill have a right to go into that mill at any time the management so desires, and anyone interfering would be guilty of a violation of the law; that no man has a right to prevent another from coming in and about his own premises; that no man has a right to avenge his own wrongs, under the law, except that a man can fight in self-defense. He added that the day of using force is past; that society has other agencies and means of adjusting differences.

Harwood States Law
The judge stated that one guilty of interfering with or forcing another to do anything that he otherwise would not have done, even though the means used be only a threatening manner or words spoken threateningly would be guilty of an assault. Employers, he said, have the freedom of choice in employing and discharging employes; an employer may discharge an employe whenever he may desire, without giving any explanation or reason for such discharge; and each individual has the same right as any other—equal rights in the eyes of the law. The employe has a right to say for whom he will work and may leave the employment of any employe, he added.

The United States takes more than half the coffee grown in Brazil.

MISS DAPHNE LEE YOUNG BRIDE OF ROBERT M'CALL

The marriage of Miss Daphne Lee Young to Mr. Robert Lee McCall came as a surprise to their many friends on Monday, July 22, at 11:30 a. m. at the home of the bride's aunt, Mrs. J. B. Banks, on Spring street. The beautiful ceremony was performed by Rev. J. C. Story before only a few friends and relatives.

The room was artistically decorated with rhododendrons, ferns and beautiful garden flowers. Mrs. McCall looked very lovely in a pretty tan and blue ensemble with accessories to match.

Just after the ceremony the bride and groom left for an extended honeymoon to Norfolk and Richmond, Va., and Washington, D. C., after which they will make their home in Marion.

Mrs. McCall is the charming daughter of Mrs. D. N. Young of Bryson City, North Carolina. She is a beautiful well cultured young lady with a charming personality that wins her many friends wherever she goes. She graduated at Bakersville High School this spring.

Mr. McCall is a son of Mrs. N. M. McCall of Marion. He is a splendid young man of sterling character and holds a responsible position with the U. S. Postal Service in Marion. Mr. McCall graduated at Marion High School in the spring of 1926, after which he took a business course in Richmond, Va.

W. N. C. GAME REFUGES GET ANIMALS AND BIRDS

Three hundred and sixty-three animals and birds have been distributed among the western North Carolina game refuges during the past year, it was announced recently by W. K. Beichler district forester, in a comprehensive report.

Of the animals distributed, 75 were deer. Eleven of these were confiscated from persons who had trapped and were keeping them illegally and 60 were trapped in the Burleson deer park. Thirty were bucks and 45 does. Of the total number, the Marion fish hatchery received five, the Federal game preserve two, the state game farm two, Stokes county refuge three, Wayah Bald refuge 13, Mt. Mitchell refuge 42. Eight were killed in capturing and transporting.

Twelve elk, captured on the United States game refuge and on Hooper Bald, were distributed on the Mt. Mitchell refuge and Brush Creek refuge.

Turkeys were distributed as follows: Balsam fish hatchery, 3; Marion fish hatchery, 3; Warden G. C. Reed, Black Mountain, 3; Wayah Bald, 50; Brush Creek, 40; Mount Mitchell, 110. Twelve pheasants from Hot Springs and the state game farm were distributed on Mt. Mitchell, Wayah Bald and to G. L. Hampton, Canton. Forty-eight quail, imported from Mexico, were distributed on the Pisgah Forest game refuge, Wayah Bald, Brush Creek, and Mt. Mitchell. One black bear was released on the Mt. Mitchell refuge.

STRIKERS RESTRAINED FROM PICKETING MILL

A temporary injunction, naming 160 strikers of the Marion Manufacturing company, and Alfred Hoffman, Southern organizer for the United Textile Workers, as respondents, was signed here yesterday by Judge John H. Harwood, in McDowell Superior Court.

The order restrains the strikers and Hoffman from picketing or congregating about the property of the Marion Manufacturing company, and includes a clause against agitation of the strikers for picketing.

Sheriff Adkins' office last night advised that service on the individuals named would begin early this morning. The list of names was being prepared and assigned to deputies for service.

COMMISSIONERS MEET

The McDowell County board of commissioners met in special session Monday and spent the day in going over the school and general county budget.

At the Marion Theatre, Thursday and Friday, an All-Talking feature "THE DONOVAN AFFAIR". An intensely interesting mystery-thriller in which all the characters talk all through.

Canada sent \$489,000,000 worth of products to the United States in 1928.

OPENING OF NEW MARION THEATRE

Beautiful New and Modern
Show House Opened Monday Night—Large Crowd.

The new Marion Theatre opened its doors to the public on last Monday, July 22nd, at 7:30 p. m. In spite of the inclement weather the house was filled, and everyone expressed admiration of the size and beauty and comfort of the interior. The beautiful velvet draperies, stage curtains and door hangings, the varied colored lighting effects on the stage, the attractive modernistic wall and ceiling lightings, the comfortable seats, and the size make this theatre one that compares favorably with those of much larger places. The theatre is also fitted with the most up-to-date air cooling system, heating plant, modern dressing rooms, rest rooms and orchestra pit, and the picture projection machines and the "sound and talking" equipment are of the very best on the market. It has been stated by the architect, Mr. C. C. Benton, of Wilson, N. C., and numerous film men that this is now Western North Carolina's finest theatre. The people of Marion may well be proud of having such a theatre in their town.

For the opening Monday night the foyer and mezzanine were attractively arranged with ferns and cut flowers and comfortable seats. Prior to the starting of the show the Marion Band played outside the doors. The program was a splendid one, opening with two Vitaphone acts and a beautiful little Color Classic, "The Toy Shop". Mr. J. W. Winborne, on behalf of the Marion Amusement Company, in a short speech presented the new theatre to the Marion public, and Mr. L. J. P. Cutlar, on behalf of the Chamber of Commerce, expressed the pleasure of the people of Marion in having such a modern and beautiful show house. Miss Julia Burton added much to the enjoyment of the program by presenting two very attractive dances; the first, "Moonlight and Roses", danced by Misses Charlotte Winborne, Elizabeth Neal, Virginia Gilkey and Margaret Gilkey, with Misses Miriam Story and Helen Klontz singing the song; and the other, "The Doll Dance", given by Misses Virginia Gilkey and Elizabeth Neal. Lastly followed the feature picture, "Ramon", accompanied by the splendid six-piece orchestra from Asheville which added greatly to the pleasure of the evening.

Mr. E. J. House, as manager of the Marion Amusement Company, has worked hard to make this new theatre as attractive and comfortable as possible, and he will give the people of Marion the best that can be gotten in pictures and entertainment; and we hope that the public will give its hearty support and patronage to the new enterprise to enable the management to keep up the policy of "The Best in Pictures and Entertainment".

BIG CHEESE FACTORY FOR WEST JEFFERSON

Raleigh, July 17. — The Kraft-Phoenix Cheese corporation will within 60 days begin the erection of a cheese factory and milk condenser to cost approximately \$100,000 at West Jefferson, in Ashe county, it was announced today by R. F. Farnham, dairy extension specialist of State College. When finally completed the plant will be the largest unit of its kind in the south, it is announced.

Options have been received on two plots of ground at West Jefferson and \$10,000 worth of machinery has already arrived for installation as soon as the first unit is completed. Present plans are to build two units, one to handle the manufacture of cheese and powdered whey and the other to be completed later, to handle sweet cream and powdered skim milk.

POULTRY SHIPMENT WEDNESDAY, JULY 31

The Farmers Federation announces that poultry shipments will be made from Marion and Old Fort on Wednesday, July 31. The time of loading at Marion will be from 8 to 12 a. m. and at Old Fort from 2 until 4:30 p. m.

PARKS TOUR ROUTE TO BE DISCUSSED

Meeting in Hickory Saturday
to Perfect Organization—
Will Benefit Marion.

Statesville, July 20.—"We are expecting several hundred citizens along the route to gather in Hickory on Saturday, July 27th, at 2 o'clock in the afternoon, to meet in the Hotel Hickory and perfect the Eastern National Parks Tours Association," said President Jerry M. Derr of that organization today.

"I have had letters from all points along the new Parks to Parks route," he continued, "and indications are that there will be people in Hickory from Murphy at the gateway of the Great Smokies National Park, to the Massanutten Caverns at Harrisonburg in the entrance of the Shenandoah National Park.

"My home town of Statesville will be represented in great numbers. Our Chamber of Commerce is working enthusiastically on this route, which is the shortest between the two great parks as well as the best paved route. We are rapidly accumulating the necessary funds with which to print 100,000 descriptive booklets of this route.

"When the general public knows that this route is 20 miles shorter and 100 per cent better as to pavement, there is going to be a great avalanche of tourists from the north sweeping through the middle of our state entering at Madison and passing through Winston-Salem, Statesville, Hickory, Morganton, Marion, Old Fort, Asheville, Waynesville, Bryson City, and onward to Murphy and the Great Smokies.

"Of course it is our business to acquaint the general public with this route and this is the object of our association.

Delegations from several towns along the route are being worked up and a large number of cars are expected in Hickory for the day.

The dinner at the Hickory hotel will be the compliments of the citizens of Hickory.

The new route was completed recently with the opening of the Virginia state highway between Martinsville and Roanoke via Rocky Mount, thereby giving complete pavement from Harrisonburg to Murphy.

The final link in the North Carolina end of the highway, that between Statesville and Mocksville, has been opened to traffic a month. It is 18-foot concrete with banked turns, making the distance from Statesville 52 miles and taking one hour to negotiate. There are no bad curves and few small communities through which to pass.

Number 10, from Statesville onward to Murphy has been in service for some time and traffic is flowing heavily over this route. This route lowers the time from Harrisonburg to Murphy four or five hours and shortens the distance 20 or more miles. The difference in the time is due to the difference in the roads, many of the links in the other route being what is termed Macadam, roads of a third class nature.

295 ARE KILLED BY CARS IN STATE DURING 6 MONTHS

Raleigh, July 17.—Motorists killed 295 persons in North Carolina during the first six months of the year, according to the report issued today by the motor vehicle bureau of the state department of revenue. There were 2,159 additional who were injured, the report showed, with 97 of those killed being pedestrians and 301 pedestrians injured.

The report for the month of June showed 49 persons killed in automobile accidents and 429 injured, including 10 pedestrians. One death occurred at a railroad crossing, 20 on a straight road, nine on a curve and five at intersections.

Next Monday and Tuesday at Marion Theatre, "THE YOUNGER GENERATION", with sound and dialog. A pleasing and heart-appelling story of family life.

Speaking of tonics, there never can be any going back on sunshine.

INTERESTING FACTS ON STATE SCHOOLS GIVEN

Raleigh.—Out of the 116,077 first grade white children in the schools of North Carolina in the school year 1923-24 only 60,057, or 52 per cent, reached the fifth grade, according to records in the office of Dr. A. T. Allen, State Superintendent of Public Instruction, and published in the current issue of the department's publication, State School Facts.

Twenty-one per cent of the white school children and 37 per cent of the colored school children of the state are in the first grade, according to figures just compiled and included in the publication.

School children are widely distributed by ages for each respective grade, the publication shows. For example, of 122,593 white children in the first grade, only 55,408, or 45 per cent, are six years old. The remaining 55 per cent are distributed in diminishing numbers in the higher age ranges, up to two first grade children who are 17 years old.

Wide Distribution
The wide distribution of children by ages within a grade is common to all grades, even through the high school, the compilation shows.

"It would seem," the publication continues, "that either some children do not get started to school when they become six years old, or that for some reason or other they are continually falling behind by not being promoted for certain years to the next higher grade. From the facts pertaining to the progress of children through the grades, this latter reason appears to be more likely true."

A table shows that the normal age white children have increased from 49.1 per cent in 1923-24 to 53.9 per cent in 1927-28, while the under age children for the respective grades have increased from 3.5 to 4 per cent in the same period. The over age children in grades have decreased from 47.4 per cent in 1923-24 to 42.1 per cent in 1927-28. In case of colored pupils, the normal age children showed a lesser increase, to 30.6 in 1927-28, while 1.2 per cent were under age and 66.2 were over age for their grades.

DYSARTSVILLE NEWS.

Dysartsville, July 22.—Miss Poe Kirksey is quite ill.

"Uncle" Dave Laughridge is in very feeble health.

Lige Fortune is at home from South Carolina where he has been engaged in the saw mill business. He is in very feeble health.

W. M. Conley, J. S. Cooper and Ben Landis are attending court as jurors in Marion this week.

J. M. Goforth has been right sick, but is improving.

J. P. Hennessee of Ashford was a visitor here Sunday.

The Baptist Sunday School enjoyed a picnic at Lake James last Saturday.

Stonewall Kirksey and family of Bostic were here Sunday visiting the former's sister, Miss Poe Kirksey, who is sick.

Farmers are most through with their summer work. Most all the wheat is threshed, but it is not as good as it was last year.

CATAWBA VALLEY NEWS

Old Fort, Rt. 1, July 22.—W. H. Porter and Clarence Bradley spent Saturday in Swannanoa.

Mrs. Susan Grant of Greenlee spent Sunday here.

Mr. and Mrs. James Luther and family of Swannanoa spent yesterday here with the latter's parents.

Mrs. J. A. Silver is on the sick list. Mr. and Mrs. R. H. McCall of Greenlee spent Sunday with relatives here.

Mrs. Hester Bradley and children of Harriman, Tenn., is visiting her sister, Mrs. Adam Wheelon.

The revival services closed at Ebenezer after two weeks with several additions to the church.

Friday, August 2, has been set as the day for cleaning off Ebenezer cemetery. All who have relatives are invited to take a part in helping to beautify the grounds for decoration day on August 11th.

Miss Susan Allison of Asheville spent the week-end with her sister, Mrs. V. Setzer.

Fred Parker has gone to Virginia to enter a hospital for an operation.

Wheat after limestone and red clover produced 33 bushels an acre and without such treatment produced 14.91 bushels an acre for H. Roy Rogers of Person county.

SCHOOL COSTS SHOW DECREASE

State Spent One Million Dollars Less in 1927-28 Than During the Preceding Year.

Raleigh, July 22.—North Carolinians spent \$1,000,000 less for their public schools in 1927-28 than they did in 1926-27, so declares State School Facts, the official publication of the State Department of Public Instruction in its current issue.

"A comparison of the two years," the publication continues, "shows that in 1926-27 the total sum of \$36,701,501.36 was spent for these schools, whereas during the school year 1927-28 the sum of \$35,655,440.70 was expended for all public school purposes below college grade.

"The explanation of the decrease," the publication states, "is the fact that more than two million dollars less were spent for capital outlay purposes—new buildings, sites, and equipment. In 1926-27 more than eleven million dollars were paid out for this class of expenditures, whereas in 1927-28 slightly more than nine million dollars were put into new buildings and school equipment.

"The year 1927-28 marks the lowest point that capital outlay expenditures have reached since 1921-22, when the cost of new buildings erected and equipped slightly exceeded six million dollars."

On the other hand, as the publication points out, the amount of money spent for the current operation and maintenance of schools increased one million dollars over the preceding year. It cost \$26,580,686.40 to operate the elementary and secondary schools during 1927-28, whereas in 1926-27 twenty-five and a half million dollars did the job.

Although the tendency is for current expenses to increase year by year, the rate for 1927-28 is the lowest for eight years, the million dollars representing a 4 per cent increase. In 1920-21 the increase was 40.6 per cent; in 1921-22 it was 1.3 per cent; in 1922-23 it was 11.1 per cent; in 1923-24, 10.6 per cent; in 1924-25, 10.2 per cent; in 1925-26, 8.5 per cent; and in 1926-27, 12 per cent. The four per cent increase last year, it is seen, is less than half the percentage of any of the seven preceding years.

LEAKSVILLE FAMILY GETS COMPENSATION

Raleigh, July 22.—Mrs. Arthur King, wife of Arthur King, 39-year-old weaver for the Marshall Field Mills corporation, of Leaksville, killed while at work last Friday, filed claim today before the industrial commission for \$6,000 compensation for herself and three children, aged two, five and eight. The money will be paid her at the rate of about \$18 per week until the full amount of \$6,000 is paid. In addition the burial expenses of Mr. King will be paid by the concern for which he worked.

Mr. King fell into a loom and struck his head on a segment gear, crushing it with the result that he died within 30 minutes after the accident.

Up till noon Wednesday, 210 reports of accidents had been filed during the day with the commission. Of these at least 26 are compensable—that is, 26 of the 210 will receive compensation for their injuries. The others were temporarily incapacitated.

SPECIAL TERM OF COURT FOR RUTHERFORD COUNTY

Rutherfordton, July 23.—A special term of the Rutherford Superior Court for one week only and for the trial of civil cases, has been ordered by the Governor, O. Max Gardner, to be convened at the court house in Rutherfordton on Monday, July 29, with the probability of Judge Michael Schenck, of Hendersonville, presiding. This court is to dispose of the congested condition of cases on docket for trial.

The OASIS Theatre will run on next Wednesday. See TOM MIX in his very latest picture "THE BIG DIAMOND ROBBERY", with a good two-reel comedy.