

State Board of Elections Speaks

STATE BOARD OF ELECTIONS
Raleigh, N. C.
May 20, 1964

Mr. Roy Freeman, Chairman
Madison County Board of Elections
Marshall, North Carolina

Dear Mr. Freeman:

The State Board of Elections has received a complaint from Mr. Bruce B. Briggs, Chairman of the Madison County Republican Executive Committee concerning the persons appointed as Registrars and Judges by the Madison County Board of Elections. The State Board has also received the affidavits submitted by the Madison County Board of Elections in reply.

The charges are as follows:

1. The failure of the Madison County Board of Elections to admit Mr. Briggs to the meeting at which the registrars and judges were chosen, and its failure to consider the Republican Party's recommendations for these offices.
2. The appointment of numerous persons as registrars and judges who already hold offices or positions of trust with the federal, state or county governments.

In view of the short period of time remaining before the state-wide primary on May 30th, a complete review and investigation of these charges is impossible. Furthermore, on the basis of the facts available to the State Board of Elections, such a step would not appear necessary.

The first charge appears to arise from Mr. Briggs' failure to determine the exact time and place of the Madison County Board of Elections meeting. The North Carolina statutes clearly provide that all county boards of elections are to meet on the seventh Saturday before the date of the primary and to select the Registrars and Judges of election for each of the precincts. The county boards must meet on this date, which fell on April 11th this year, and all persons are charged with notice of this meeting.

G.S. 163-15 further provides that the chairman of each political party within the County shall have the right to recommend three to five electors in each precinct for appointment as Registrar and Judges of Election, "provided such recommendations are made by the seventh Saturday before each primary election." The County Board of Elections may make the selections from the names submitted. However, it is under no compulsion to make the appointment from these names.

Thus, it is the duty of the County chairman of each party to turn over his lists to the County Board by the deadline. However, it is not incumbent upon the County Board to make the appointments from the lists submitted. Although it is almost the universal practice in North Carolina for the County Boards of Elections to follow the recommendations of both the Democratic and Republican county chairmen for precinct officers, Madison County in 1962 and in several prior years has been a conspicuous exception to this rule.

In summary, it would appear that because of Mr. Briggs' failure to turn in his recommendations to the Madison County Board of Elections by the April 11th meeting, he has no standing to complain that the Board acted without considering the Republican Party's recommendations.

The second charge involves a more serious question, namely the attempted circumvention of the provisions of the North Carolina Constitution and general statutes regarding dual office holding. The complaint alleges that a number of the persons appointed as Registrars and Judges on April 11th hold offices or places of trust or profit under the government of the United States, the State of North Carolina and the political subdivisions thereof. The affidavits of the Madison County Board of Elections do not deny these charges. The State Board of Elections has no independent information concerning these persons, and sufficient time does not remain before the May 30th primary to verify the charges in detail.

However, sufficient information has been presented to the State Board of Elections to raise serious doubts concerning the status of a number of the precinct officials.

This whole question of dual office-holding on the part of precinct officials becomes even more serious in light of the ruling of the State Board of Elections in December, 1962. At that time the Board heard evidence concerning various alleged irregularities in Madison County. Evidence was presented that some of the precinct officials in Madison County doubled as members of the Madison County Board of Education or as members of local School Committees. They resigned their precinct offices immediately following the election and were then reappointed to their regular county offices. In its final order the Board stated by way of warning as follows:

"That the Madison County Board of Elections cease appointing as registrars and precinct officials those persons who cannot serve continuously in such capacity from the beginning of the registration period through election day."

The affidavit of two members of the Madison County Board of Elections reveals that the Board on April 11th reappointed most of the former registrars and judges that had previously served. Many of the same names appear on the 1964 list that were contained on the 1962 list, made a part of the record at that time. This was the very group that had included a number of officials who held other offices. Thus the Madison County Board of Elections chose to ignore the warning contained in the December, 1962, order of the State Board of Elections.

The practice of having county or city officials resign or vacate their regular offices in order to serve as precinct officials for an election, and then to resign these precinct offices in order to return to their regular county and city offices is one that cannot be countenanced. This pattern of swapping hats at election time makes a mockery of the prohibition in the North Carolina Constitution against dual office-holding. This same prohibition is incorporated into the election laws as G.S. 163-15. The administration of the election laws must not be brought into question by artifices or tricks to avoid the safeguards of the North Carolina Constitution and statutes.

Among the officials who apparently are involved in the pro-



ABOVE IS PHOTO of three (3) employees at the Hot Springs Plant of Pacific Mills who have completed ten (10) years of continuous service. These three employees helped build the plant and were the first ones to go to work as employees of the Hot Springs Plant. The employees are recognized as Douglas Ramsey, Homer Foster, and Claude Sawyer. Also shown in the photo is W. P. Gentry, Master Mechanic, on the extreme left, and R. Neill Ross, Plant Manager, on the right, congratulating the three employees. A ten (10) year service pin was awarded each one.

Mrs. Albert Cox, Sister Of Marshall Women, Dies In S. C.

Mrs. Birdie Mae Jones Cox, 75, wife of C. Albert Cox of 20 Allen St., Dunean, S. C., died at a Dunean hospital at 4:50 a. m., Wednesday, May 20, 1964 after a long period of declining health and a day of serious illness.

Born Sept. 13, 1888 in Marshall, N. C., she was a daughter of the late James and Lizzie Calvert Jones. She had lived in Greenville since 1913, and since 1919 had lived at 20 Allen St., Dunean.

Mrs. Cox was a member of Dunean Baptist Church, and the Senior Mothers Class of the Sunday School.

Services were held in Dunean Baptist Church at 2:00 p. m. last Friday.

Surviving are a daughter, Mrs. George Shedd (Mary) of Greenville; a son, Charles Albert Cox Jr., of Charlotte, N. C.; an adopted son, A. 3-C James R. Cox stationed with the U. S. Air Force in England; nine sisters, Mrs. Dora Ramsey and Mrs. John McLean of Marshall, N. C., Mrs. Willie Runkion of Greenville; Mrs. Junius Campbell, Miss Eloise Jones, Mrs. Eliza Bagwell and Mrs. C. E. Owens of Greenville, Mrs. Agnes Weslyn of Texas, and Mrs. Grace Willis of Ridgecrest, N. C.; two brothers, James and John A. Jones of Greenville; nine grandchildren; and four great-grandchildren.

Percentage Call

The world might get better results if diplomats were paid on a peacework basis.

SPRING CREEK

MRS. VIRGINIA MEADOWS

Mr. T. J. Waldroup is very ill at this time. We wish for him a speedy recovery.

Those visiting Mr. and Mrs. H. C. Meadows and Mrs. Joe Justice Sunday evening and Sunday night were Mr. and Mrs. Oliver Martin, Kay and Paul, Mr. and Mrs. Edgar Justice, Poy and Linda, Mr. and Mrs. Toye Ledford, Peggy and Eddie, Rev. and Mrs. E. F. Sprinkle, and Mrs. Cline Fowler.

Miss Margaret Coward was at home for the weekend from Asheville where she is employed.

Margie Meadows spent the weekend with her mother, Mrs. Edith Meadows.

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hibition against dual office-holding are three members of the Madison County Board of Education, a member of the Madison County Welfare Board, a Justice of the Peace, three school committeemen, three deputy sheriffs, and a number of the Madison County Board of Tax Equalization. Also, it appears that one registrar is only 19 years of age and is therefore ineligible to serve. There may well be some questions about the legality of the appointment of other registrars and judges of election. This is said not by way of criticism of the officials involved, all of whom are no doubt capable and faithful public servants. Nevertheless, the laws of North Carolina contemplate that election officials must not serve in other offices or places of trust. Surely there are other qualified and competent Democrats and Republicans in Madison County who would be willing to serve as election officials.

The Madison County Board of Elections is accordingly directed to call a meeting no later than Friday, May 22, 1964, and to replace the registrars and precinct judges who come within the prohibition against double office-holding. This group will include all of those referred to above, and may well include others not listed above. If there are doubts concerning the status of any others previously appointed, the Attorney General should be consulted to determine whether they also are barred by the constitutional prohibition against double office holding.

The Madison County Board of Elections is directed to send to the State Board of Elections a revised list of registrars and judges as soon as they are appointed.

It should be pointed out that G.S. 163-126 provides for the appointment of observers in each precinct for a primary election. These observers are named upon the application of the chairman of any political party of the county. Whether Mr. Briggs exercises this right or not, the people of the entire State of North Carolina are in a sense observers of this primary election in Madison County. Because of these charges made in advance of the primary, attention has been focused on Madison County. I trust that the Madison County Board of Elections is full aware of this fact and that it will see that no valid grounds exist for complaints arising out of the conduct of the primary.

Respectfully yours,

WILLIAM JOSELYN,

Chairman State Board of Elections

cc: MR. BRUCE B. BRIGGS, Chairman Madison County Republican Executive Committee, Mars Hill, North Carolina, and others.

—Paid Political Advt.

Revival, Decoration Slated For Liberty Baptist Church

A revival will start at Liberty Baptist Church on Sunday night, May 31, at 7:30. The Rev. E. F. Sprinkle is the pastor, and his son, the Rev. Charles Sprinkle, will assist him in the services. The public and all singers are invited to attend.

The yearly decoration at Liberty Cemetery will be held June 1 at 10:00 a. m. There will be a short service at the cemetery. The public is invited to attend.

BLOODSHED BOX SCORE

ON N. C. HIGHWAYS

Raleigh — The Motor Vehicles Department's summary of traffic deaths through 10 a. m., Monday, May 25:

Killed to date 541
Killed to date last year 451

Father Of County Resident Passes Monday; Rites Wed.

Homer J. Kirkpatrick, 69, of Hendersonville Road, Fletcher, died at 12:25 p. m., Monday, May 25, 1964 in an Asheville hospital after four weeks' illness.

He was born in Haywood County and was a son of the late Thomas P. and Rachel Coward Kirkpatrick. He lived in Henderson County for 19 years and was a member and former deacon of Fletcher Baptist Church. He was owner and operator of Kirkpatrick Service Station at Brickton.

Surviving are the widow, Mrs. Services were held at 3 p. m., Wednesday in Fletcher Baptist Church.

The Rev. Ralph Banning, pastor, and the Rev. Vilas Minton officiated. Burial was in Shepherd Memorial Park in Hendersonville.

Active pallbearers were Jack, Floyd and James Ward, Ansel Durlap, Freno Dockings and Lewis Harper. Honorary pallbearers were Dr. E. R. S. Witten, Thomas and C. T. Wilkie, Everett Baldwin, Willard Hoots, Howard Garren, Don Livingston, Charles Israel, J. P. Hogesed and members of the Men's Bible Class of the church.

Lillian O'Dell Kirkpatrick; two daughters, Mrs. Vernon Trantham of Hot Springs and Mrs. Houston Ward of Fletcher; three sons, C. D. of Morristown, Tenn., C. M. of Silver Springs, Md., and C. G. of Derby, Kans.; five sisters, Mrs. Dora Brown of Buford, Ga., Mrs. Annie Waddell of Lyman, Wash., Mrs. Nettie of Asheville, Mrs. Ethel Haney of Spring Lake, N. C., Mrs. Ethel Meadows of Tomp; three brothers, Mr. of Sylva, Glen H. of Spring Creek and W. B. of West Asheville; 13 grandchildren and four great-grandchildren.

Pitfalls

The world is filled with pitfalls — the influence a man thought he had usually vanishes the moment he needs it most.

Walnut Students Enjoy Trip To Raleigh Last Week

Members of the eighth grade class of Walnut enjoyed a trip to Raleigh last week when they visited the Capital Building, Museum, State House, the Arena and other points of interest.

The students, accompanied by Mr. Auburn Wyatt, Mrs. Ezra Burnette, and Mr. Cantrell, left last Thursday and returned Friday night.

ANNOUNCEMENT

—FOR—

Tax Collector

Having filed with the County Board of Elections following many requests and assurance of many of my Democratic friends in Madison County, I hereby respectfully solicit the support of all Democrats in Madison County for re-nomination as Tax Collector in the Democratic Primary, May 30, 1964.

I wish to state that all past support was sincerely appreciated and all support in the future will also be appreciated very much.

If nominated and elected I will continue to serve in this capacity to the best of my ability.

Byard Ray

—Political Advt.

Singing Convention

The Fifth Sunday Night Singing Convention will be held at Pine Grove on May 31.

All singers and listeners are invited to attend. McKinley Redmon will be in charge of the singing.

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DEMOCRATS VOTE

- Primary Election
- Saturday, May 30
- 6:30 a. m. to 6:30 p. m.

Enjoy the privilege of casting your ballot for the candidates Of your choice

Political Advertisement paid for by

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