



## Supreme Court Studies Walnut School Case

### Three Walnut Men Asking Court For New Trial

By DOUG REED  
(Raleigh Report)

The State Supreme Court has been asked to decide another Madison County case behind which lies an awful lot of politics.

In the most recent legal controversy coming before the high court, three Madison men arrested three years ago on charges of creating a disturbance at Walnut School are asking the court for a new trial.

The three, Jack Guthrie, Jack Davis and Eugene Thomas, were arrested in August, 1962. They were indicted on two counts each the following May by a Madison County grand jury. On the first count, they were accused of conspiring to interrupt and disturb the school. On the second, they were charged with actually disturbing the school and assaulting unnamed school teachers and lunchroom personnel.

The case didn't come on for trial until last February. The Legislature at that time was beginning what would become a long, drawn-out debate over a bill to revamp the jury commission in Madison. The three men asked for a change of venue but the motion was denied by Judge W. K. McLean.

The case went over to the May term, by which time the Legislature had passed legislation requiring a completely new jury list to be prepared for Madison.

One of the chief architects of the legislation was Marshall attorney Joseph B. Huff, who had claimed, both in other lawsuits and to legislative committees that the old jury list was so controlled politically as to make impossible equal justice in Madison County. Huff also was serving as attorney for the three defendants in (Continued on Page Six)

## AUTOMOBILE LIABILITY RATES HIKED

North Carolina motorists will pay an average of 11.6 per cent or \$5.88 more for automobile liability insurance beginning Monday.

Edwin Lanier, state insurance commissioner, announced the rate hike Friday, which he said will cost an additional \$8-\$9 million a year.

"The facts cannot be ignored," Lanier said. "The increases in costs for automobile parts, labor and hospital-medical expenses make an increase in insurance rates necessary."

The North Carolina average rate will be \$66.38, Lanier said, compared with a national average of \$73.09. He said the North Carolina rate will be below the average for Virginia, South Carolina and Tennessee.

The new rates provide for continuation of the 10 per cent discount for safe drivers, he said.

The rates for drivers with records of serious motor vehicle law violations or chargeable accidents will be higher than the regular rates.

Present rates, Lanier said, were based on the insurance companies' experience data for the years 1960-61. The new rates are based on data for 1962-63.

### GOOD REASON

Two men were seated in a bus. One of them noticed that his friend had his eyes closed.

"What's the matter, Bill?" he asked. "Feeling ill?"

"No, I'm all right," answered Bill. "It's just that I hate to see all these ladies standing."

## WORDING OF BOND ISSUES IS SIMPLE, EASY

The two issues to be voted on throughout North Carolina November 2, are most imperative. However, the wording posted on the voting machines is quite simple.

Exact wording is as follows: The issuance of Three Hundred Million Dollars (\$300,000,000.00) State of North Carolina Highway Bonds.

Constitutional amendments authorizing the General Assembly to create a Court of Appeals in the Appellate Division of the General Court of Justice.

As to the using of the new Shoup voting machines, Rex Allen, chairman of the county board of elections, fully explains this on Page Three in this issue.

Voters desiring assistance in using the machines will be furnished this help on November 2.

## Cattle Rustlers In Local Jail On Eight Counts

James Lee, 23, and Richard Meadows, 23, both of Hickory, N. C., Rt. 1, are in the Madison County jail charged with eight counts of cattle rustling in Madison County.

Sheriff E. Y. Ponder, assisted by Burke and Catawba County officers, arrested the two men in their homes last Friday.

Also seized was a 1956 1 1/2-ton Ford truck belonging to Lee, the sheriff reported.

## Wreck On By-Pass Sunday Injures Four In Two Cars

Four county persons were injured Sunday afternoon about 12:30 o'clock when their cars collided at the by-pass intersection leading to the MATO plant.

According to Patrolman Jim Proffitt, a black Chevrolet, driven by Emmette Payne, of Walnut, was traveling south on the by-pass when a red Corvair, driven by A. J. Shelton, Jr., entered the by-pass from the MATO road. The two cars collided and were total losses, it was said.

In the car with Mr. Payne was his wife. Mr. Payne received severe hip injuries and lacerations and Mrs. Payne received cuts and bruises.

Shelton, 16, son of Mr. and Mrs. A. J. Shelton, Sr., of Marshall Rt. 7, received cuts and bruises and his companion, Miss Maxine Rector, daughter of Mr. and Mrs. Herbert Rector, of Marshall, received severe head lacerations.

The four were taken to Memorial Mission Hospital for treatment.

Patrolman Proffitt stated that Shelton had been charged with failing to yield right-of-way. The case will be heard Saturday before Wade Huey, Justice of the Peace.

## HOMECOMING TO BE OBSERVED HERE FRIDAY

### Stephens-Lee Band To Be Featured In Parade Friday Afternoon

Seven girls are in the contest for Homecoming Queen of Marshall High School for the annual festival to be held at the school Friday. A football queen, selected by members of the football team, has already been chosen, but will not be made known until the crowning of both queens preceding the game at 7:15 p. m.

A parade through the town, highlighted by the appearance of the Stephens-Lee band, with floats from all classes and clubs, will begin at 1:45 p. m. The climax of the day will be the football game at 8 p. m., between Mars Hill and Marshall, arch rivals, who will be seeking the county mythical crown as well as a win.

Contestants for homecoming queen are Angela Roberts, Linda Sue Briggs, Doris Ann Rice, Barbara Edmonds, Margot Roberts, Evelyn Fisher and Janet Buckner.

Members of the football team and the Stephens-Lee band will be guests for the evening meal, sponsored by the Marshall Boosters Club, in the school cafeteria.

## BOOSTERS CLUB AGAIN DONATES WALNUT FUNDS

Members of the Marshall Boosters Club, at their regular semi-monthly meeting here Monday night, voted to donate \$210 more to further the athletic program at the Walnut school. The club had previously donated \$228 to the Walnut school. The total donation brings the total to \$488.

In addition to the Walnut funds, the local club also purchased a deep freezer (\$175) to be used exclusively by the Marshall school and the Boosters Club.

Mrs. Geneva James, president, presided with about 20 members present.

Mrs. James named the following to serve on the important Ways and Means Committee until November 15: Mrs. J. H. Sprinkle, Jr., chairman; Mrs. A. E. Leake and Mrs. C. E. Mashburn.

### NEARLY FINISHED

An Englishman who was new in the community spent his first Sunday morning in his neighborhood church. The minister was particularly long-winded that day, and the Englishman finally turned to the man sitting next to him and whispered, "How long has he been preaching?"

"About 30 years," was the answer.

"I say," replied the astonished Englishman, "he must be almost finished!"

# Facts About \$300,000,000 Road Bond Issue In State

## ATTENTION TOBACCO GROWERS!!

There will be two tobacco stripping and sorting demonstrations conducted in the county on Wednesday, October 27. The first one will be held at the home of Everett Gommel in the Grapevine Community at 10:00 a. m.

The second one will be held at the home of Homer Plemmons in the Meadow Fork community at 2:00 p. m.

These two demonstrations will be conducted by the local extension office and Mr. L. D. Flack, a government grader with the USDA Marketing Service.

All farmers and other interested persons are urged to attend these demonstrations.

## Leake Is Member Trial Lawyers Association

The application of A. E. Leake, local attorney, for membership in the American Trial Lawyers Association was recently approved and he is now a member of the Association. Membership in the American Trial Lawyers Association is limited to attorneys of unquestioned integrity and ability who devote a large part of their time to the trial of negligence actions, with the greater part of this time devoted to representing plaintiffs.

## Hallowe'en Carnival At Marshall School To Be Friday Night

Marshall High School's annual Hallowe'en Carnival will be held Friday, October 29, in the school auditorium with the program beginning at 7 o'clock, according to Principal Clive M. Whitt.

The main feature of the evening will be the crowning of "Miss Marshall High" and "Mr. Marshall High." Similar royalty will be crowned from grades four through six, and first through third. Winning groups will be rewarded with an educational trip with bus and driver furnished.

Other activities of the evening include a costume parade, cake walks, bingo, a fishing pond, and bean toss. Food and drinks will also be available.

"Come join us in an evening of fun, and be young again," Mr. Whitt said, in inviting all patrons of the school to attend this event.

## HUNT SPEAKS AT WAYNESVILLE ROAD MEETING

### Ten County Persons Attend Meeting Monday Afternoon

Opportunity that North Carolina has been missing for years will come Nov. 2, when a vote is taken on a \$300 million road bond issue, the chairman of the State Highway Commission said Monday in Waynesville.

Joe Hunt told about 75 Chamber of Commerce and municipal leaders from 17 counties that it is important to instill a sense of urgency in the voters of Western North Carolina if the traditional isolation brought on by inadequate highways is to be broken.

All sections of the state will benefit, Hunt said, in his talk at Waynesville Country Club. And he said his Highway Commission, which is going about the state promoting the bond issue, is not talking one way on the coast and another in the mountains.

Neither are they politicking, he said. The Commission has traveled 10,000 miles in recent weeks, riding the roads and seeing firsthand what the problems are.

He promised "dollar value for dollar spent," and as many needed roads as possible, within the bounds of financial responsibility, if the money is made available. (Continued on Page Six)

## County Expected To Vote Overwhelming For Road And Court Issues Nov. 2

By a vote of 168 to two, the 1965 General Assembly authorized a Statewide referendum on a \$300 million bond issue to upgrade and expand North Carolina's system of primary, urban and secondary roads. The referendum will be held on November 2.

FINANCING — No additional taxes will be required to finance the bonds. The Legislature specified that, if approved, the bonds would be financed by extension of the present one-penny per gallon gasoline tax used to finance the 1949 Scott road bond issue. In 1966, funds will be available to retire the 1949 bonds and until then the new bonds can be financed with current highway revenues.

THE NEED: Current engineering studies indicate the following:

a. There are 7,850 miles of paved roads that must have major pavement strengthening or resurfacing because of heavier traffic volumes.

b. 9,000 miles have inadequate pavement widths; they also have virtually no shoulders, bad curves and poor alignment.

c. Four hundred miles of major highways need to be completely relocated.

d. More than 1,100 miles of primary highways must be widened from two lanes to four-lane divided highways in order to reduce congestion and a high accident rate.

e. There are 8,000 miles of secondary roads that need to be sta- (Continued on Page Six)

## Leake To Direct Campaign For Intermediate Court Issue

### Brief Summary Of What Amendment Provides Is Published



A. E. Leake

A. E. Leake, Marshall attorney, has recently been appointed by the North Carolina Bar Association to direct the campaign in the coming election in support of the Constitutional Amendment, which would permit the Legislature to establish Intermediate Court of Appeals.

A brief summary of what this Constitutional Amendment provides is as follows:

"1. Authorize the General Assembly to create an Intermediate Court of Appeals.

"2. The General Assembly shall determine the organization, structure and composition of such Intermediate Court of Appeals if established.

"3. The Court may, for the convenience of our citizens and to increase its hearing capacity, sit in two or more divisions.

"4. The Court need not be held only in Raleigh, but can be held in such places and at such times as the General Assembly may prescribe.

"5. Its appellate jurisdiction (authority) shall be determined by the General Assembly.

"6. The Judges of the Court shall be elected for a term of 8 years.

"7. There shall be not less than five judges on the Intermediate Court of Appeals."

The Supreme Court of North Carolina is greatly overworked. It is fighting a heroic, but losing battle in an effort to give each case coming before it proper attention and consideration and to keep up with its work load. The work load becomes heavier each year, and some relief for our overworked Supreme Court is an absolute necessity.

Mr. Leake states that he hopes all Madison County voters will go to the polls on Tuesday, November 2, 1965, and vote "yes" for the Constitutional Amendment which would establish an Intermediate Court of Appeals. (Continued on Page Six)

## French Broad WMU To Hold Conference On October 26

### To Be Held In Mars Hill Church; Program Outlined

The French Broad Women's Missionary Union will hold its annual Leadership Conference next Tuesday in the Mars Hill Baptist Church. The meeting will close at 9:30 p. m.

All presidents are asked to be present and bring other officers, committee chairmen and those who work with young people's organizations. Plans will be made for the coming year.

Miss Kathryn Bullard, State W.M.S. Director, will lead the devotions and also lead the conference for presidents. The conference for Sunbeam leaders will be led by Mrs. Louise Burgess, State Sunbeam Director.

The following conferences will be led by Associational leaders: Prayer Chairmen, led by Mrs. L. L. Vann; Community Missions Chairmen, led by Mrs. Boyce Crow; Stewardship Chairmen, led by Mrs. E. C. Crow; Mission Study Chairmen, led by Mrs. Charlie Clayton; G.A. Leaders, led by Mrs. Kyle Jamerson; Y.W.A. Leaders, led by Miss Kathleen Black.

Presidents of W.M.S.: Beoch Glen, Mrs. Jimmie Ramsey; Bull Creek, Mrs. Claxton Cohn; California Creek, Mrs. Harold Wallin; Calvary, Mrs. Jerry Dummavin; Enon, Mrs. Blanche Houston; Forks of Ivy, Mrs. Vincent Young; Gabriel's Creek, Mrs. Charlie Clayton; Hot Springs, Mrs. W. L. Collins; Locust Grove, Mrs. Clell Fisher; Long Branch, Mrs. Frances Buckner; Marshall, Mrs. Jack Thomas; Mars Hill, Mrs. Raymond Nelson; Madison Seminary, Mrs. E. C. Crow; Middle Fork, Mrs. W. L. Lynch; Palm Fork, Mrs. Oscar Anderson Jr.; Flory Mountain, Mrs. K. C. Ekins; Oak Grove, Mrs. Clifford Post; Trinity, Mrs. Jean Johnson.

## ATTENDING STATE ASCS CONFERENCE

A three-day state wide ASCS conference is being held in Durham, beginning on Tuesday, October 19 and running through Thursday (today), October 21. Those attending from Madison County are: County committeemen Emory Robinson, R. C. Briggs and Andy N. Wood; and Ralph Ramsey, General Fox and Nils Gaddy from the county ASCS office. Most of the conference will be devoted to discussion of Administration, Production Adjustment, Conservation and Price Support Programs.

## EOA CHAIRMAN IN WASHINGTON FOR MEETING

Dr. Charles Powell, of Mars Hill, county chairman of the Economic Opportunity Act Organization, is in Washington, D. C., attending a meeting of rural county EOA chairmen.

Dr. Powell stated on leaving that he had ready to submit the program development proposals.

Results of the meeting will be published later.

Dr. Powell is expected to return tonight (Thursday).

### SOVES NOTHING

Self-empowerment leads nowhere — It's a one-way street that leads only to misery.

## Christ School Defeats Tornadoes, 33-0; Mars Hill Wildcats Trounce Rosman, 40-20 Hot Springs Loses To East Yancey, 34-7

### Christ School - Marshall

For three quarters, the Tornadoes battled the highly-favored Christ School Greenies tooth and fennel before the Greenies ignited in the final period to ice the game, 33-0 before a large crowd on the Island last Thursday night.

Few persons present thought the local eleven would be match for the heavy, large squad as they resembled a college football team as they warmed up prior to the kickoff.

However, after the Tornadoes allowed visitors to score on an end run early in the first quarter, the Tornado defense stiffened and in what would seem to be a rout in the offing, turned into a rugged defensive battle.

Marshall's interior line perhaps played a key role in the victory. (Continued on Page Six)

### Rosman - Mars Hill

With halfback Eddie Castellor leading the attack, Mars Hill outscored Rosman, 40-20, at Mars Hill Friday night in its Homecoming game before 2,800 fans.

Castellor scored three touchdowns and ran one extra point for 19 points personally besides running 172 yards on 18 carries.

Halfback O. E. Davis electrified the crowd by scoring all of Rosman's three touchdowns on long runs. He returned a kickoff 89 yards in the 1st period and in the 2nd half, twice raced for 80 and 80 yards to paydirt up the middle and out to the left sidelines.

Mars Hill opened a 7-0 lead in the 1st quarter when quarterback Roy Black passed 35 yards to end (Continued on Page Six)

### Hot Springs - East Yancey

East Yancey ran its record to 6-1 at Burnsville Friday night with a 34-7 victory over Hot Springs.

Ronnie Robinson scored two touchdowns and kicked four conversions to lead the winning team. His touchdowns came on runs of 42 yards in the first quarter and 48 in the second.

In between the two Robinson touchdowns Bob Anderson scored on a four-yard run and Ed Bennett on a 16-yard pass from Mike Young.

Young scored the final East Yancey touchdown on a 26-yard run in the third quarter, giving his team a 34-0 lead.

Hot Springs then got on the scoreboard on a one-yard run by Bobby Holder and Lyle. (Continued on Page Six)