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SPURLING IS FIRST DEM. SOLICITOR IN NEARLY 38 YEARS

W. C. Newland Was Last "Regular" to Prosecute Docket in Watauga County Was Then a Part of Fourteenth District. Spainhour, During Fusion Days, Served One Term. Defeated by Harshaw in '98.

The docket of Watauga Superior Court, which closed Saturday, was prosecuted by L. S. Spurling, solicitor of the Sixteenth District, of which Watauga became a part by an act of the past General Assembly. It will be remembered by older residents of the county that this was the first time in nearly thirty-eight years that a Democrat has officiated in this capacity here.

According to J. C. Fletcher, U. S. title inspector, who for many years was a member of the local bar, W. C. Newland, of Lenoir, was the last regular Democrat who was elected solicitor in this district, which at that time was the Fourteenth. The old Fourteenth District was made up of the following counties: Watauga, Ashe, Caldwell, Mitchell, Yancey, Burke, McDowell, Polk, and Henderson. Mr. Newland, if Mr. Fletcher's memory serves him right, succeeded Hort Bowers, who had for several years served in a most able manner. In 1894, J. P. Spainhour, running as an independent Democrat with the endorsement of the Republicans, defeated Mr. Newland. This was in fusion days, and the campaign was hotly contested. Brother arrayed himself against brother, and the numerous factions fought with "claw and fang" to reorganize the somewhat depleted ranks of the Democracy.

In 1898 Mr. Spainhour was the "regular" Democratic nominee, and was opposed by the late Mose Harshaw, of Lenoir, who for several years previous had exemplified himself as one of the leading barristers of the district. A bitter struggle ensued, filled to the brim with exciting crooks and turns, but when the vote was tabulated, Harshaw was the winner by one of the smallest majorities ever given a candidate in the district. It is pointed out by Mr. Fletcher that feeling still ran high against Spainhour, occasioned by his "bolt" from the party in '94, and that many regulars of the Democratic party refused to give him their support in that memorable election.

Mr. Harshaw served as solicitor for two terms, retiring from office in 1906. His native wit and ability as an attorney had made him most popular in the courts of the district, and many stories are yet told by old-timers of humorous incidents which took place during this period. The late lamented Frank A. Linney succeeded Harshaw, and for eight years served the State in brilliant manner. The General Assembly of 1913 redistricted the State, and Watauga became a part of the Seventeenth, which comprised most of the "rock-ribbed" Republican counties of North Carolina.

In 1914, Johnson J. Hayes, who is now judge of the Middle District Federal Court, became prosecuting attorney, and held the office until 1926. His law partner, John R. Jones was elected at that time, and was re-elected by a small majority in 1930. However, the General Assembly of 1931 made Watauga a part of the Sixteenth, and as Democrats put it, "redeemed the county from a district which is apt to remain Republican for time immemorial."

Lees-McRae Wins First Grid Game of Season

Banner Elk.—The Lees-McRae Bulldogs eked out a 13-0 victory over Crossnore in the opening game of the season Saturday afternoon at Crossnore.

The first half was uneventful except for "Father Lumpkin" Dillon, Lees-McRae halfback, who intercepted a pass and carried the ball 20 yards.

Both teams started slowly and no scoring took place during the first half. Bob Agie, Lees-McRae's driving fullback, pushed over a touchdown in the third quarter, carrying the ball through the line, and another in the fourth quarter when he carried the ball around the right end. Agie also caught a pass for the extra point, making a score of 13 to 0 in favor of the Bulldogs.

Crossnore put up a pretty fight, with Captain "Red" Farmer as their outstanding player.

ADOPT DAUGHTER
Rev. and Mrs. L. F. Kent of Valle Crucis returned from Greensboro Tuesday where they received an 11-month-old girl from the Children's Home Society, whom they have adopted. The new member of the Kent family bears the name of Elizabeth Lane.

Lenoir Negro Is Fair and Square With Court

Luther Wells, Lenoir negro, was assessed the costs in a whisky case by Judge Moore last week and couldn't raise the coin. He told His Honor, however, that if he were in Lenoir he could make the raise, and could appear back before the court the following afternoon. The jurist told the negro to "go get it," and as the defendant left the room the judicial mind was convinced that Luther Wells and his case were disposed of for good. But the Judge evidently didn't know his negroes, for next morning Luther was back before the court to explain that he couldn't secure the money in Lenoir, and to offer himself in lieu thereof. Judge Moore had seen the extraordinary, and instead of imprisoning the dusky offender, allowed him six months, or until next term of court, to pay his debt to the state.

POTATO GRADING AND PACKING TO COMMENCE TODAY

Mountain Growers Exchange Issues Letter to Farmers Setting Forth Aims as Regards Potato Market. Think Best to Market Spuds Before Freezing Weather. Representative of Brokerage Firm Here.

There will be no high prices on potatoes this season in the opinion of officials of the Mountain Growers Exchange and they are of the opinion that the product should be disposed of early so as to avoid the danger of freezing as well as subsequent shrinkage. Grading and packing is expected to begin today (Wednesday) and a circular letter has been addressed to Watauga producers outlining the plans of the organization and asking for information as to number of potatoes on hand, etc. The full text of the communication which is signed by Smith Hagaman as president and John W. Hodges as secretary of the exchange, follows: "We will begin grading and packing potatoes Wednesday, September 30, in John W. Hodges' warehouse. In the spring, leading growers in this and adjoining counties met here, and after full investigation, decided that in order to market our crops we should work together and have our potatoes graded and packed No. 1 stock, as is done in other sections of the country, so that we can build a reputation for our products that will enable us to build our business from year to year. Mr. H. D. Andrews, of Mt. Olive, N. C., who devotes his whole time to the marketing of fruits and vegetables, is here to personally look after the marketing. For him to remain here long it will, of course, be necessary to move the crop fast enough to justify. With business conditions so poor and so many people out of work, which cuts down buying, the indications are that there will be no high prices the coming season, and we believe that we will come out as well or better to market the bulk of our potatoes before freezing weather and save the additional loss by shrinkage and the risk of freezing.

"Please advise Mr. Andrews or Sheriff Hodges about what you will have and when you expect to start so that proper arrangements can be made to handle them as delivered. We can also handle your cabbage. Phone 156.

"A good part of the market price will be advanced along as shipments are sold, and a full settlement made monthly. This is the plan decided upon last spring by the growers. Fairly good rates have been secured from the railroads so that we can ship to any market and greatly increase our outlet."

COMEDY TO BE REPEATED AT COURTHOUSE SATURDAY

In response to requests for a second performance, the comedy play, "Melvina's Courtship," presented during the fair by members of the Agricultural and Home Economics clubs, will be given again next Saturday night at 8 o'clock in the auditorium of the courthouse in Boone. This play was a splendid success and it received enthusiastic approval by the large audience present.

A small admission charge will be made, the proceeds to be used in the departments of home economics and Agriculture of the Cove Creek High School. The public is cordially invited.

OPEN MOLASSES FACTORY

Messrs. I. E. Reese and C. F. Thompson opened their molasses factory at Mabel Wednesday, Mr. Thompson, who was a visitor in Boone last Thursday, stated that on the basis of contracts already made, the plant will this year turn out in the neighborhood of two thousand gallons of sorghum. A copper evaporator and sawdust filter are used and a superior grade of syrup is produced.

LOCAL YOUTH TO HEAD LAW SCHOOL AT WAKE FOREST

Archie Qualls Receives Signal Honors at Baptist School. Will Receive LL. B. Degree Next Spring, as Well as His A. B. Has Been Honored by Collegiate Fraternities. Career Not Outlined.

News reaches Boone to the effect that Archie Qualls, son of Mr. and Mrs. J. L. Qualls of this city, has won outstanding honors at Wake Forest College, by having been elected president of the law school, succeeding C. M. McCracken, Jr., of Fairview.

This recognition constitutes one of the highest honors within the gift of the southern college and the local youth is receiving the congratulations of many friends in this region. He will receive the Bachelor of Laws and Bachelor of Arts degrees next spring.

Mr. Qualls is affiliated with the Gamma Eta Gamma National legal fraternity and a number of other fraternal orders. He has represented Wake Forest as a debater, and has gained distinction in other phases of college activities. He is devoting his entire thought and energy to preparations for practicing law, and has not as yet given any degree of consideration as to where he will locate when he shall have graduated.

Children from Orphans Home to Be Here Sun.

Mr. O. V. Woosley, superintendent, and seventeen of the children of the Methodist Home in Winston-Salem, will have charge of the evening service at the Boone Methodist Church, on Sunday, October 4th. The children will arrive in Boone at 5 o'clock, and will be given supper by Methodist families. The service at the church will begin promptly at 7 o'clock.

The young people of the church are requested to meet the visitors at the church at 5 o'clock and escort them to their various homes.

DISTRICT MEETING O. E. S. CONVENES IN BOONE WEDNESDAY

Delegates from Eight Chapters in the Tenth District Meet With Daniel Boone Chapter. Speeches by Mrs. Mangum, Grand Matron, and W. P. Henly, Grand Patron. Dinner Program at 5:30.

Scores of delegates from the Tenth District, Order of the Eastern Star of North Carolina, are assembled in Boone today (Wednesday) for their annual meeting as guests of Daniel Boone Chapter No. 47. Mrs. Alice Greer, District Deputy, of Elk Park, is presiding, and a large number of local members are in attendance at the afternoon session which convened at 2 o'clock.

The program for the afternoon and evening sessions follow:

Afternoon Program

Meeting called to order by district deputy; ritualistic opening; Daniel Boone Chapter No. 47; introduction of distinguished guests; welcome address, Mrs. Mae Belle South, worthy matron of Boone Chapter; response, Mrs. Geneva Arnold, Lincolnton Chapter; reading of minutes of last district meeting; reports of chapters in district; special music; Rimmel Porter and Miss Ruth Coffey, wrapping the charter, Ashe Chapter No. 185; opening and closing the Bible; Hickory Chapter No. 153; draping the altar, Taylorsville Chapter No. 115; examination of a visitor, Catawba Valley Chapter No. 147; exemplification of ballot, Hibriten Chapter No. 140; short talks; question period, Mrs. Bessie Ruck Mangum, Worthy Grand Matron; meeting called from labor to refreshment. Supper and entertainment takes place at 5:30 o'clock. Musical numbers will be furnished by Blanche Smith's Orchestra, and vocal selections by a colored quartet.

Evening, 7:00 o'clock

Meeting called from refreshment to labor; introduction of distinguished guests; initiation, Cranberry Chapter No. 135; funeral ceremony, Newton Chapter No. 187; musicale, Professor and Mrs. I. G. Greer; reopening of question period; address, Mrs. Bessie Ruck Mangum, Grand Matron; address, Mr. W. P. Henly, Grand Patron; invitation to entertain district meeting in 1932; report of courtesy committee, reading and approval of minutes; closing of District Meeting.

Chapters composing the Tenth District are: Daniel Boone No. 47, Taylorsville No. 115, Cranberry No. 135, Ashe No. 185, Hibriten No. 140, Hickory No. 155, Catawba Valley No. 147, Newton No. 137.

WATAUGA SHERIFF WAS NOT TRIED IN FEDERAL COURT

Denial that Sheriff L. M. Farthing and Deputy W. C. Norris Were Fined in Federal Court on Contempt Charges Is Denied by Judge Hayes. Erroneous Reports Had Been Carried in Newspapers.

The report which was carried by The Associated Press in the newspapers last Thursday to the effect that Sheriff L. M. Farthing and Jailer W. C. Norris had been fined \$300 and \$100 respectively in the Federal Court in Wilkesboro on a contempt charge, brought forth a denial Friday afternoon from Judge Johnson J. Hayes, who stated that the dispatch was erroneous and that no date for hearing evidence against Watauga officials had been set.

The indictments against the local officials were the result of charges brought on account of alleged irregularities in the handling of a Federal prisoner, Cecil Critcher, during his recent prison term served here, and District Attorney E. L. Gavin, who lodged the indictments, says that his case rests on information to the effect that the prisoner was allowed to leave the jail on occasions. Similar charges are said to have been brought against the Sheriff of Alleghany and his jailer, and the same story tells of their having received like fines. Whether or not this is true is not known here.

Demands Retraction

The Wilkes Patriot, in its Monday edition, also carried the report of the conviction of Sheriff Farthing and Mr. Norris, and John E. Brown, attorney for the defendants, dispatched the following telegram on Tuesday night:

"Editor Wilkes Patriot, North Wilkesboro, N. C.

"Your paper of September 28th carries the story that Sheriff L. M. Farthing and W. C. Norris of Watauga, have been fined by Judge Hayes. This is false and I am expecting a retraction.

"JOHN E. BROWN."

ED STOKES TO BE TRIED AGAIN FOR FATAL SHOOTING

Grand Jury Returns Bill Against Cove Creek Man for Slaying of Ivy Greene Last Spring. Had Been Freed by Justice of the Peace. Will Not Be Tried Until Spring Term of Court.

Ed Stokes, Cove Creek citizen was arrested last Wednesday evening and placed in the county jail, after the grand jury had returned a bill against him in connection with the slaying of a neighbor, Ivy Greene, the fatal shooting having occurred on the 21st of last May, in the community in which both men lived. Solicitor Spurling announced Thursday that the trial would not be entered into during the term then in session, but would come up at the spring term of Watauga court.

Stokes was released under a bond of \$5,000, signed by Ed S. Williams, Myra Williams, G. W. Moody and J. D. Stokes.

Once Acquitted

Stokes, it will be recalled, answered the charge of firing the shots which ended a neighbor's life, before Justice of the Peace J. S. McBride on the 4th of June, and was acquitted after direct evidence of self-defense was introduced. Because of the overwhelming evidence in favor of the defendant in the lower court it had not been generally believed there would be a grand jury investigation.

At the preliminary hearing Charlie McConnell, the only eye-witness, gave testimony that he was accompanying Greene and the evidence indicated that the slain man was looking for Stokes, and the latter had evaded him, changing his course to avoid a meeting. They came face to face however, and Greene was said to have accused Stokes of poisoning his dog a few years previous, and cursed him when denials were forthcoming. Greene's anger was alleged to have waxed so hot that Stokes asked him to lay aside the shotgun he carried. Instead of complying with this request, it was sworn, Green began raising the gun toward Stokes' head. He was again told to drop the weapon and when he continued to raise it, Stokes fired, the load tearing away a portion of the thigh. Loss of blood caused his death after he had been taken to the Banner Elk hospital.

It is remembered that a number of witnesses testified as to the bad blood which existed between the two men, and evidence was introduced of threats which the slain man had made against the life of Stokes.

Big Frost 39 Years Ago, September 29th

Tuesday morning the country roundabout was covered with the first frost of the season, and the whiteness of the landscape in the early hours indicated that the hoary visitor brought along all his chilly legions. No freezing has accompanied the first chill days, and practically no damage has been done as regards farm products.

On September 29th, 1892, or exactly thirty-nine years ago to the day, so the ancient files of The Democrat reveal, the first big frost of the season was noted. That Jack Frost should make two of his initial visits on the exact day almost two-score years apart provides, to say the least, a rare coincidence.

35,000 BUSHELS OF APPLES ON LARGE WATAUGA ORCHARD

Yield of Fruit at Valle Crucis School Orchards the Heaviest of All Time It Is Believed. Picking Starts Today and Most of Fruit May Be Marketed from Warehouse Doors. School in Healthy Condition.

Rev. L. F. Kent, rector of the Valle Crucis School for Girls, when asked the first of the week about the prospects for apples in the extensive orchards owned by the institution, said that never in the history of the school, perhaps, had the yield been so uniformly heavy. He believes that a safe estimate would place the harvest at from 30,000 to 36,000 bushels of the finest fruit the mountain climate produces. Mr. Kent says that the picking of the gigantic crop will begin today and it is expected that practically all marketing will be done direct to the trucks from the packing houses. Starks Delicious, Winesap and Black Ben Davis are the varieties which compose the major part of the immense orchards, and the timber is literally breaking with its luscious load.

School in Fine Shape

The Valle Crucis School is in an extremely healthy condition, according to the rector; the institution is out of debt, and notwithstanding the depression there are as many girls enrolled as is usual. There are 88 boarding and 60-day pupils, and seven states are represented in the student body and faculty, as follows: North Carolina, South Carolina, Virginia, Maryland, Minnesota, Georgia, Florida and Ohio.

The opening of the school was on the 17th of September, and the faculty is with one exception the same as last year, and consists of the following members: Miss Isabel Graves, principal; Miss Virginia Bouldin, Miss Lattitia Ricord, Miss Basom, Miss Virginia Sally, Miss Jane Darwin, Miss Adelaide Smith, Miss Viola Starnes (matron), Miss Alma Potts, Miss Blanche Gilbert (assistant to matron).

The dormitory and school buildings as well as the home of the Rector are being repainted, and the plant will present a decidedly more pleasing appearance.

Recent Visitors

Hon. Haywood Parker, prominent Asheville attorney and chairman of the diocesan committee on church institutions, was an over-Sunday visitor at the school.

Rev. George W. Hulbert, who was temporarily connected with the school some years ago, is now associated with Rector L. F. Kent in mission work.

MANY PRODUCE MEN MAKE INQUIRIES AT LOCAL HOTEL

Mr. J. L. Qualls of the Commercial Hotel, tells The Democrat that in the past two nights thirteen produce buyers, traveling in trucks, have stopped at his house, and the following days have gone about in search of potatoes, apples and cabbage. Mr. Qualls regrets that in most cases he is unable to give the buyers information as to where the commodities may be secured. He is not dealing in produce himself, but is anxious to be of service to his guests as well as the farmers, and says that if producers will advise him or his hotel of their holdings, quantity, etc. he will be glad to keep a record of same and send the truckmen around.

MAYOR'S COURT

Following are cases disposed of by Mayor Moretz which have not previously been carried in The Democrat:

Graham Teague, driving while intoxicated, not guilty.

P. H. Hodges, drunkenness, ten days suspended sentence to become in force if arraigned again in sixty days. Defendant pays cost.

Cleve Johnson, drunkenness, ten days suspended sentence to take effect if arraigned again in 60 days. Pays the cost.

Edgar Cook, reckless driving, not guilty.

Robert Winkler, affray. Bound to Superior Court.

STONE GETS 25 TO 30 YEARS IN PEN ON MURDER COUNT

Deep Gap Man Sentenced By Judge Moore for Slaying of Mattie Bentley Last April. Insanity Pleas Future Defense Arguments. Court Is Adjourned Friday. The Complete List of Judgments.

Clint Stone, 35 year old resident of the Deep Gap section was sentenced to a term of not less than 25 nor more than 30 years in the state prison by Judge Walter E. Moore in Watauga Superior Court last Wednesday afternoon, after having plead guilty of second degree murder in connection with the fatal shooting of Mattie Bentley, a neighbor woman on last April 30. His plea was immediately accepted by the state.

Messrs. Trivette and Holshouser conducted the case for the defense under the assumption that the defendant was insane, and Dr. J. B. Hagaman, county coroner, when placed on the stand, was free to admit that Stone's mentality was low, but expressed the conviction that he was not insane. Bingham, Linney and Bingham and W. R. Lovill assisted Solicitor L. S. Spurling in the prosecution.

At the instance of the Solicitor Judge Moore had secured the summoning of a venire of 100 citizens and from that group and the regular panel a jury had been selected to hear Stone's case. Stony Fork township, the scene of the killing, was not included when the Sheriff summoned the veniremen.

The murder, according to the story of the confession as related by the prisoner to Deputy Sheriff Clint Norris, soon after the tragedy, came about after the defendant had been enraged by letters allegedly written by the Bentley woman, demanding sums of money from him. An argument ensued as the two met on a mountain top near the Ashe-Watauga line that April morning and the woman fell, riddled by two charges from a 12-gauge shotgun. There were no eye-witnesses to the slaying but Stone was taken into custody following the inquest and at the preliminary hearing before Justice Hahn Officer Norris testified as to the confession.

Adjournment Friday

Superior court adjourned Friday afternoon, after having disposed of what is regarded as a very heavy docket, as dockets go in Watauga county. Following is the list of the judgments which were not reported in the last issue of the Democrat: Ransom Potter, liquor; 4 Months

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Bowie Optimistic as Campaign Progresses

Hon. Tam Bowie, of West Jefferson, an outstanding candidate for the Democratic Senatorial nomination, spent a few hours in Boone Friday, and while here discussed his campaign with party men who are championing his cause in Watauga. Mr. Bowie has just returned from an extensive tour of western counties, where he states sentiment is entirely satisfactory to his candidacy.

The Ashe County man is receiving scores of letters daily from all sections of North Carolina, all of them bearing "good news," and the potential Senator is beaming with a quality of optimism that may spell disaster for his three opponents in the coming primary election.

Mr. Bowie, who is often referred to as "the Lion of the Mountains," is an aggressive campaigner, a fiery orator, and possesses a personality which is calculated to array behind him a militant legion of supporters.

Appalachian Wins First Conference Grid Game

The Mountaineers of Appalachian State Teachers College eked out a 6 to 0 victory over Lenoir-Rhyne College at Hickory Friday night in the opening game of the Little Six Conference.

The score came in the first quarter when Hughes fumbled a punt on the 10-yard line and Triplett skirted right end for the counter. The kick for extra point was blocked by the Bears.

The Bears had plenty of offensive power but were unable to furnish the punch in the pinches, due to an ineffective passing attack.

With the exception of the beginning of the first quarter and near the end of the last, the game was played in Appalachian territory.

MR. HEWITT ENGAGED IN MAKING AUDIT FOR COUNTY

Mr. O. W. Hewitt of A. M. Pullen and Company, certified public accountants with headquarters at Richmond, Va., is now engaged in making an audit of the books of the county, including the records of the Board of Education, and all departments incident to the county government.