Washington

A RESUME OF GOVERNMEN-MENTAL HAPPENINGS IN THE NATIONAL CAPITAL

Washington, Feb. 15 .- Presiden Roosevelt's unexpected message to congress for legislation authorizing him to add six justices to the nine who now constitute the supreme court is regarded here as the most important and far-reaching proposal yet forwarded as a New Deal measure. Nothing which the President has said or done has ever raised such a contoversy

While his message to congress contained recommendations for many needed reforms in the procedure of the federal courts in general, these are almost lost sight of in the discussions of his major request and ly are still sharply divided.

brief, the President's proposal is that whenever any federal judge having served ten years, upon reach ing seventy, the age of permissive retirement, fails to retire, the Presi dent may appoint an additional judge to sit in that court, and as many as six such additional judges to the supreme court.

That this proposal has its basis in the refusal of the supreme court to uphold the constitutionality of many New Deal statutes is generally ac-President expressed the view that the older judges are out of step with the times. "New facts become blurred through old glasses, fitted, as were, for the needs of another generation," he said.

Court Retirement Age
Of course, if any supreme court justice now past seventy should re tire now on full pay for life, the President would need no further authority than he already has to appoint his successor.

Four consistent opponents of administration legislation are among ministration legislation are among the six supreme court members who could retire at full pay now. They to grow, and that funds received dimension that funds received dimensions are among the same and the senate will vote down Democrat. Justice Brandeis, regardthe court, is also the oldest, being ganization. Chief Justice Hughes is 74.

Eleven of the Roosevelt administration statutes have been declared through the supreme court. Five have been sustained The account funds sent direct by dire court now has under consideration

on AAA. The administration was sons chapet School, \$15. Union Bap-case, and lost by the same margin tist Sunday School, \$4.00. on the original railway pension act and the municipal bankruptcy act.

The court was unanimous in upthe barring of prison-made goods Red Cross chapter here from interstate shipments. The gov-ernment's position in the TVA act was upheld, 8 to 1, and the Chaco Appalachian Cagers arms embargo act by 7 to 1, Justice

Stone being absent.

By 6 to 3 the court declared unconstitutional the Guffy soft coal act and the provision of the securities commission act under which that board claimed unlimited power of subpoena. Federal regulation of "hot oil" shipments was invalidated 8 to 1, and the court was unanimous in holding that AAA processing taxes impounded in federal courts

must be refunded. The court ruled that the President did not have the authority to dismiss a member of the thorities.

Law on Appointments

action by congress on the President's four games. court proposal are still uncertain, the odds seem to be in its favor.

or retires, there will be no place for mounts. any of the present senators and representatives known to have judicial ambitions. Under the constitution no member of either house can be put up a game fight against the loappointed to any office created dur- cals. ing the term for which he was

The proposed additional justices would come under that heading, of new offices, which would bar Senators Robinson and Wagner and Representative Sumners, of Texas, who have been regarded as likely candidates in case of a vacancy.

Chairman Landis of the S.E.C., Prof. strong Vanderbilt University agrre- tion until tomorrow. Felix Frankfurter of Harvard Law gation. The meet will be held after School, Donald R. Richberg, former general counsel of the NRA, and Stewart's fast-stepping cage team Stangey Reed, solicitor-general, are engage the Western Carolina quinthe names most frequently mention-

Legislative Outlook

The supreme court issue has virtually overshadowed other matters pending in congress. It is expected that if the President's proposal approved and he is given authority to name new justices, new bills for the revival of NRA and AAA will be introduced.

(Continued on Page Eight)

The Week in Washington WATAUGA DEMOCRAT

An Independent Weekly Newspaper—Established in the Year Eighteen Eighty-Eight

VOL. XLVIII. NO. 32



Miss Annabela Matthews (above), is a member of the assistant general councils com-mittee of the internal revenue department, and one of the women in government holding a high of-fice of responsibility.

OVER \$600 GIVEN TO FLOOD RELIEF

Watauga County Makes Outstanding Record in Aiding People in Flood Zone

Van Devanter, 77, Republican: rectly by the Red Cross chapter in this reconsideration as promptly as McReynolds, 75, Democrat; Suther-land, 74, Republican; Butler, 70, hundred mark, or something more weakening amendments to the bill. Democrat. Justice Brandels, regard-than twice as much as was asked ed as the most "liberal" member of from this region by the national or-This does not take into account funds sent direct by differ-

The administration was sons Chapel Sunday School, \$1.25;

A total of \$578.66 had already been A total of \$578.66 had already been reported, bringing the grand total of receipts to \$607.76, or ten times handling the business with dispatch holding the tax on silver profits and the original quota assigned to the

To Play Home Games

Western Carolina and King Colleges on Basketeer's Schedule for Saturday Night

Coach Stewart's high-flying basketball team will play two games on the home floor this week-end, meeting Western Carolina Teachers College on Friday and King College on Saturday night.

Starting the season with a number of close decisions against them, it looked for a time as if the Mountaineers were headed for a mediocre

Bakersville Bank Expected to Approve Merger in Meeting Friday federal trade commission; also, that looked for a time as if the Mounbuilding and loan associations cannot taineers were headed for a mediocre be required to take out federal char-ters when opposed by their state authe measure of some of the best and Farmers bank at Burnsville will teams in the two conferences. Their meet Friday to consider the consoli-While the chances of a favorable current winning streak has reached dation plant whereby four of the

In their first contest with the the odds seem to be in its favor. Teachers from Cullowhee, the Ap-Gossip is already picking candidates palach; an team lost a close decision. for places on the supreme court Judging from recent games, however, the Mountaineers will at least have If none of the present justices dies an even chance to beat the Cata-

> The King basketeers have already been defeated by Stewart's team this season, but they can be expected to

Local Mat Team to

Local mat fans will have another chance to see Coach Watkins' unde- Farmers Bank was to have considfeated wrestling team in action here Attorney General Cummings, Saturday night when they meet the basketball game which will see

> The local matters were weakened by the injury of Ben Norris a few \$150,000, surplus, \$75,000; undivided weeks ago, but in spite of this handi- profits, \$25,000; reserve approxicap they have been winning over such teams as the University of

> The Appalachian line-up will be composed of Gaskill, Cranford or W. W. Mast, W. D. Farthing and P. Lindsay Captain Crooks, Bill Nor- A. Coffey are members of the genris, Claude Farthing, Ewing, Cline eral board from the Watauga County Farthing and Lloyd Hobbs.

WETS GAIN UPPER HAND AS LIQUOR BILL IS PASSED

State Senate Follows Lead of Rouse and Passes Option Liquor Bill; Measure is Expected to Become Law by End of

Raleigh, Feb. 17.- Drys took an even worse heating than they expecters when the state senate by a vote of 30 to 20, counting pairs, defeated the Martin amendment providing for a state-wide referendum on the liquor question and then by an over-whelming viva voce vote passed the Hanford county option and control bill on its second and third read-

The bill, which in effect legalizes liquor under certain regulatory su-pervision all over North Carolina and permits any county to operate a liquor store by an affirmative vote of the people, only awaits concur-rence of house in non-controversial senate amendments and formal ratification, probably by the end of this week, to become effective.

Seeks Reconsideration

Senator Martin, who led the fight against the bill in six hours of sen ate sitting yesterday changed his vote from aye to no on the roll call on the referendum feature in order that he may move a reconsideration today. But anybody who watched the sure-footed controllers knows they are not frightened by Information Wednesday is that the this effort to upset their plans and

Greer for Referendum Senator Roby T. Greer, of Wat-auga, was among the twenty who voted for the state-wide referendum.

another vital New Deal law, the Wisgner labor relations act.

The court was unanimous in invaluating NRA and divided 6 to 3 on AAA. The administration was high plane that after Lieut, Gov Horton had announced the vote at the end of a tiresome day, he set a

and peaceful order. A couple of recesses, one for 10 minutes and one for 40 minutes, during the long grind, played a big part in keeping nerves from becom-ing frayed. However, when Senator Martin, leader of the bill's opposition, sought to adjourn the senate after the state referendum amendment had failed, until a later hour (Continued on page 8.)

MERGER OF BANKS set something of a local record in Bethel high school closed Tuesday the sale of new cars in a six-day until Monday. Several cases of pneu-TO BE APPROVED

Stockholders of the Merchants leading banks in northwestern North Carolina will consolidate and form the organization of the Northwestern

Members of the consolidation are to be the Deposit & Savings Bank of North Wilkesboro, which will be headquarters, the Watauga County Bank, the Bank of Sparta and the Merchants and Farmers Bank at Bakersville. The bank at Bakersville has a branch at Burnsville and the Watauga County Bank has a branch the Beaver Dam section of Watauga

at Blowing Rock. Approval of the consolidation plan the Boone Baptist church, being in was given by stockholders of the charge of the obsequies. Interment Wrestle Vanderbilt 30, the Deposit & Savings Bank on Watauga County Bank on January was in that neighborhood. ered the plan last Wednesday, but tives. the matter was deferred for final ac-

Combined resources of the Northwestern Bank will be well over three million dollars. Deposits will approximate two and a half-million.

The capital of the bank as proposed will be: Common capital stock, materly \$25,000.

The organization will have a general board of directors with three members from each member bank. Bank.



Washington.-President Roosevelt's message proposing sweeping reform of the federal judiciary, including giving the President the right to appoint as many as six new justices of the supreme court, gets the attention of congressional leaders. Above, Vice President Garner (center), with Senator Ashurst (Ariz.), chairman senate judiciary committee, and Senator Dieterich (III.), committee member, right. Below: Speaker Bankhead of the house, going over the message with Rep. Sumners (D.), Texas, and Rep. Guyer (R.), of Kansas

FATALLY INJURED | GROUND IS BROKEN AS TREE IS FELLED FOR NEW BUILDING

Killed by Bough of Tree; Funeral Sunday

Joe A. Ward 38, years old, well tured skull being given as the im-mediate cause of his demise.

neighborhood cemetery. The funeral floor of the new building details are not available.

Surviving are the widow and three children, Gilbert, Baxter and toria Ward. The mother, Mrs. W. L. Ward, of Beech Creek, also sur-

Record Sales Ford Cars Are Reported

Boone Motor Sales, Inc., local Ford dealers, believe that they have Ford dealers, believe that they have disease being spread more widely, set something of a local record in Bethel high school closed Tuesday period. Last week the local concern delivered nine new Fords, and in addition sold six used cars. At the beginning of this week only two new cars were left on the floor, and the to three.

WILEY GREENE DIES IN TENNESSEE AT AGE 56

Wiley Otis Greene, 56 years old, native citizen of Watauga county, but for the past several years a resiat the Uplands Sanitorium, Pleasant Hill, Tenn., last Saturday.

Funeral services were conducted from the Bethel Baptist church in county today, Rev. J. C. Canipe of

Mr. Greene was reared in Watauga February 8, the Bank of Sparta on county, where he was known as a February 9 and the Mirchants and good citizen, and where he had a large number of friends and rela-

The survivors include the widow Mrs. Floy Greene, of Crossville, Tenn.; the mother, Mrs. S. Greene, of Boone; two brothers, Geo. and Ralph Greene, of Ashland, Ky .; three sisters, Mesdames T. E. Isaacs, Peoria, N. C.; George Bingham, Sherwood, and Jake Duffield, Mountain City, Tenn. Two sons and three daughters also survive: John and Dana Greene, Spencer, Iowa; Mrs. Jack Shriver, Des Moines, Ia.; Mrs. Councill C. Cooke and Mrs. Richard E. Kelley, Boone.

ing room for 40,000 people.

Erect Business and Apartment Structure

Ground has been broken for anknown farmer of the Matney neigh- other new and modern business house borhood, received fatal injuries last in the town it was learned Monday. Thursday while he was felling tim- the structure to occupy the space ber in the forest near his home. In-formation is that Mr. Ward cut down a tree, which in turn lodged against. Hamby and W. R. Winkler, the own-Carolina a liquor question was de- another, a limb from the second ers of the property, indicate that that would lead to the belief that baled by its legislature without any tree striking him. He died at the there will be a store building 75x25 any grudge had hitherto existed be-Banner Elk hospital Friday, a frac- feet on street level, a full basement and one or perhaps two additiona stories, which will be divided into

Mr. Ward was known as a substantial citizen, and his tragic death brings sorrow to a wide circle of thoroughly modern, and plans are to have it ready for occupancy within the transfer of the company of Funeral services were conducted a few weeks. There is no informa Sunday and interment was in the tion as to who will occupy the first

Bethel Hi School Closes

Will Resume Work Monday; Lewis Dishman Suffers Broken Leg; Other Community News

On account of a flu epidemic which was keeping so many children out of school, and the danger of the monia are reported in the communi-

Lewis Dishman, while logging for Messrs. Ward & Perry of Sugar Grove, had his leg broken in two supply of used cars had been reduced places Monday. It is reported that to three.

Mr. Earl Cook, in reporting the unusually brisk business, states that the log became 'fouled' and unusually brisk business, states that the he attempted to loose it Perry are confined to their beds with

> flu at the present time. reported to be some better now.

> high school boys, has been right sick is said to be improving.

Mr. Marshall Ward, one of the the crime, Sheriff Irvin said. Bethel teachers, was called home last Friday on account of the death of his brother, Joe Ward, who was fatally injured by a falling limb, Mr. Ward had just bought a boundary of tim- The body was found four days later. ber and he and his hands were cutting the first tree when the accident occurred.

Local Power Plant Installes New Unit

Dr. B. B. Dougherty, president of Appalachian, has just purchased from a utility company in Deland, Florida, a 400 -horse power electric unit which will be installed in the local plant as soon as weather conditions permit.

The unit has been used for a short time by the Public Service dinance forbidding damaging any of company of Florida, but it has been the plants, and states that violators reconditioned and is practically as will be severely dealt with. Prop-good as new. Dr. Dougherty re- erty owners are very anxious to proports that the new addition will be tect the trees and a number of them used to relieve the dynamo in ope- have indicated their willingness to ration at the steam plant here and build temporary "pens" about the New York The unfinished cathed ration at the steam plant here and build temporary "pens" about the drai of St. John the Divine has stand-that it should double the capacity of trees, to protect them during the the unit.

BIRCHIE POTTER VICTIM OF BULLET FIRED BY COUSIN

\$1.50 PER YEAR

North Fork Citizen is Killed Sunday: Two Held in Jail in Connection With Slaying; Hearing is Scheduled to Be Held Saturday

Glenn Brown, 20-year-old citizen of the North Fork community, was lodged in the county jail Sunday evening by Sheriff Edmisten, and will answer a charge of murder at the April term of court, growing out of the fatal shooting of a first-cous-in, Birchie Potter, 25, the tragedy having occurred shortly before noon Sunday at the home of John O. J. Potter. Robert Brown, 16 years old, a brother to Glenn, came to Boone Monday and surrendered to the sheriff, having been charged as being an accessory in the melee which precipitated the shooting.

According to the information gathered by the sheriff, Potter had parked a truck at the J. O. J. Potter residence, and Glenn Brown had insisted that he accompany him in quest of liquor. Potter is said to have refused to make the trip for the illicit fluid, and subsequently proceeded into the house. Glenn, it is said, cranked the truck and was backing the vehicle, when Potter emerged from the house. He and Robert Brown engaged in a fight, following which Potter started back in the house. At this point Glenn Brown is alleged to have thrust the Joe Ward, Matney Farmer, is Messrs. Hamby and Winkler to 41 calibre Derringer into his right side, just above the hip and fired. Potter fell through the door, into the com occupied by his grandfather, and expired within five minutes.

Sheriff Edmisten proceeded immediately to the scene of the tragedy and arrested Glenn Brown. He states that he was yet under the influence of alcoholics as was his brother. There was no information that would lead to the belief that tween the cousins

A preliminary hearing for the Brown brothers will be held before E. N. Hahn, justice of the peace, in Boone next Saturday morning at 10 o'clock

Funeral services for the deceased were held Tuesday from the late residence, Rev. Roscoe Trivett being in charge and interment was in the neighborhood cemetery. Surviving are the mother, Mrs. Cooge Potter, Because of Flu Epidemic and Marvin Potter, Lucille and Ulla

Fourth Arrest in Sparta Assault - Murder Case

Sparta, Feb. 16.—Sheriff Walter M. Irvin announced tonight the ar-rest of Paul Edwards, of the Saddle Mountain section of Alleghany county, for questioning in connection with the slaying of Elva Brannock, 16-year-old school girl, whose body was found 15 miles northeast of Sparta last Friday.

The sheriff said Edwards had offered an alibi and that deputies were

this concern is now receiving two loads of Fords per week, and that he stepped on a slick root and loads of Fords per week, and that he stepped on a slick root and the oxen jerked the log on his leg.

Messrs. J. B. O'Neal and Clyde she had been criminally assaulted.

Others arrested were Everett and Delter Fortner, brothers, and Sam-Mrs. Louise Perry, who has been Fipps. The three deny any connecindisposed for some two weeks, is tion with the crime and officers themselves said they did not believe Asa L. Reese, one of the Bethel they had any knowledge of the murder of the girl. Their stories were dent of Crossville, Tenn., succumbed with pneumonia for a few days, but being checked, however, to determine where they were on the day of

Elva Brannock's body was found 300 yards from the school which she had attended. She disappeared February 8 while on her way to school.

Tree Planting Near Finished in the City

Something more than two hundred silver maple, birch and evergreen shrubs have been set in connection with the beautification program sponsored by the town officials, and all suitable spaces along Main street have been planted. When the weather permits the work will continue on some of the side streets.

Mayor Gragg again desires to call the attention of the people to the orearly growing period.