

**Marble To Play Big Buford Team Saturday**

Saturday brings one of the finest Class "C" ball teams in the south to Marble to meet the "Blues"—one other than the great Bona Allen team from Buford which won 24 out of 26 games played last season.

This is the most important game the Marble boys have played thus far this season and it will in all probability be one of the outstanding local matches of the season.

Manager Tom Coggins is priming his boys for the affair for if the "Blues" win it will mean new shoes of all hands around—not screechy shoes with bulldog toes, but honest-to-goodness shoes that will fit. And who wouldn't be willing to bat three or four clear out of the county for a new pair of dogs.

**Franchise Granted Murphy Bus Line**

Raleigh, May 18.—A joint board of the interstate commerce commission granted the Dayton Brothers Bus line of Murphy a franchise today to operate between Murphy and Knoxville, Tenn.

R. O. Self, member of the board and chief clerk of the state utilities commission said it was the first franchise to be granted a North Carolina bus line under the federal motor carrier act of 1935.

**A. W. McIver Is . . .**

(Continued from front page) of the Democrats from Dr. J. N. Hill, Murphy physician, who has held the post since his brother, the late C. B. Hill, died a year and a half ago, Mr. McIver simply stated, "I will do my very best to carry on the duties of this office", and went ahead with other business before the convention.

He was greatly applauded when accepting the chairmanship.

Another major development reported by the committee was the naming of L. B. Nichols, Andrews merchant, in the place of Pole Piercey, of Andrews, for county commissioner from the Valleytown district.

Since four men from this state senatorial district are seeking a seat in the next session of the general assembly, the convention went on record as urging the aspirants for the senatorial office to elect representatives and "try to eliminate a primary so as to cause less friction when we go to the polls."

Those out for the office are G. W. Cover, Jr., of Andrews, M. H. Alexander, of Clay county, and Kelly Bennett and Vance Browning (the latter seeking reelection), both of Swain county.

In an address to the Convention Harry P. Cooper stressed the point that the Democratic party was carrying the entire responsibility of the new registration ordered for the voters of Cherokee County, and particularly cautioned them to be fair and just in passing on the qualifications of voters presenting themselves for the new registration. He said no Democrat in Cherokee County could be elected to any office in the county unless he had the goodwill and support of his Republican friends because the majority of voters in this county are Republicans. He further stated that it was not fair to candidates themselves who are trying to win support in the coming election to have registrars destroy all the support and goodwill they might build up by antagonizing and depriving voters of years standing in either party of their inalienable rights to register and vote and exercise their franchise of citizenship.

"When the Statute of North Carolina, (section 5939) is laid down side by side with the registration books used as a guide, really after all there are only two classes of citizens who can be legally barred from registering and that is: those who did not register and vote in 1908 or prior thereto, and those who present themselves to register now who cannot read and write provided they are not lineal descendants of persons who did register and vote before December 1, 1908 or prior thereto," he added.

Mr. M. L. Mauney then addressed the convention and stated that he was in the legislature when the disfranchisement law was passed and that in the main, it was only intended for negroes.

Then Mr. Bruce King, of Topton, and J. S. Keener, of Tomotla, suggested that there be an organization of township registrars to go into the matter.

Before adjourning the chairman and secretary were instructed by

the convention to name 24 delegates and alternates to attend the state convention Friday, June 12, at Raleigh. They will be announced later.

**Investigation . . .**

(Continued from front page) the result of "political enemies" and at the proper time he would establish what happened "could not be helped", the report said.

Witt refused to divulge the names of the men he had questioned, but said, according to their version of the shooting, McFadden had stopped at a refreshment stand just east of Copperhill. As he stepped out of the building a passing car drew his attention, and he immediately got into his automobile and went back towards Copperhill.

**Drove By Again**

Several minutes later McFadden drove by the stand again headed towards Murphy, and simultaneously another machine whizzed by at a rate of speed estimated by witnesses at 70 miles per hour. A short distance after the speeding car had passed McFadden's automobile, it stopped and pulled across the road, blocking traffic at the entrance to a detour.

At this point, according to Mr. Witt's account of the witnesses' testimony, one of the occupants of the parked car opened fire on the Asheville contractor with a rifle. As McFadden, wounded, stepped from his machine, his hands over his head, begging his assailant not to fire again, more shots were poured into his body.

The testimony indicated there were three occupants in the car from which McFadden was slain, and that after the Asheville man fell mortally wounded to the ground near his automobile, one of the three drew a pistol and sent several more shots into the prone body.

**Action Postponed.**

Witt said that he would continue the investigation until the case "was cleared up", and that he would present his evidence to the Polk county grand jury, which Tuesday postponed action in the McFadden case until June 29, on instruction from Judge John L. Blair.

Witt also said that he wanted a member of the McFadden family and their legal counsel to come to Madison one day this week for a conference on procedure.

Meanwhile the Madisonville attorney general received word from Washington Tuesday that Attorney General Homer S. Cummings would be in Madisonville Friday to confer with him. He added that the trip was not specifically to investigate McFadden's death, but that the two would review past labor troubles at a WPA project at Ducktown.

**Of Routine Nature**

Justice of Peace Robert L. Fry said he had been called to hold a coroner's inquest over McFadden's body about 6:15 Sunday evening, approximately an hour after the shooting, but that no witnesses were summoned and that the procedure was routine, his only findings being that "McFadden came to his death from gunshot wounds, inflicted by unknown persons."

Fry added that officers of Sheriff Birch Biggs had left Clarence Brooks at the scene of the shooting to guard McFadden's body but "neighbors" in that section had attacked Brooks and had chased him away.

Fry said that according to information given him by persons at the scene, McFadden's pistol was lying about twelve feet from his car, but in the absence of officers and the guard who had been posted, someone had picked up the gun and carried it away. The justice of the peace added that he had sworn out a warrant for Coleman Watts, for larceny of the gun.

Dr. A. W. Lewis, county physician, said that officers did not call him to the inquest and that he had no information concerning the shooting. He added that the section was "practically in a state of anarchy" and that two bullets reported to have been taken from McFadden's body later were presented to the man who shot him.

Other citizens of Copperhill indicated they were extremely reluctant to "give out information", in fear of the consequences.

Lewis verified Fry's statement that there were four bullet holes in the windshield of McFadden's car, and that it was now being held in a garage in Copperhill with a suitcase, brief case and letters found on the slain man.

The Asheville man surrendered to officers in Chattanooga last February and at the time of his arrest made the following statement to the Chattanooga Times:

"McFadden and Crippen (the firm holding the sub-contract) had been

on this United States works program highway project only a few days before demand for \$500 graft money was made on by a Biggs deputy. Of course, this was refused. There was no labor trouble whatever. All the men were anxious to work and we had 126 relief workers on the payroll. There were 128,000 man-hours in this federal project. Early on the morning of Nov. 27, a well-organized mob, led by Biggs' chief deputy in the copper basin and his henchmen, appeared on this federal project and feloniously assaulted us. I was beaten over the head and face and shot by a Biggs deputy and his henchmen, and when they thought they had me killed, they ceased their assault on me and pursued other workmen.

**Was U. S. Project**

"This Polk county job was being done with federal money as a relief measure, and the State of Tennessee was the agent of the federal government, and this attack on me and my men by Biggs' deputy and his henchmen was not only an assault upon us, but was an attack upon the State of Tennessee and the federal government and an affront to the governor of Tennessee and to President Roosevelt in his great relief program. It has resulted not only in damages to me and my men, but the road that Chattanooga, Cleveland, Polk county and the people of North Carolina have been so long striving to have completed has been delayed and there is a possibility of the project being cancelled and of these families on relief in Polk county continuing to suffer.

"I have not spared time nor expense in assisting the federal authorities to investigate and determine the responsibility of this deplorable attack up on me, my men, the people of Tennessee and President Roosevelt and his program.

**Not Guilty**

"Of course, it takes the federal government time and I am now having my attorneys bring this matter to the attention of the Tennessee and North Carolina senators to see if this outrage cannot be prosecuted and properly punished.

"Of course, I am not guilty of shooting Biggs' deputy. I was asleep in the Read House in Chattanooga at the time the shooting occurred. As a young man I was a resident of Chattanooga, was in business here married here, many of my family still live here, but I have been living in Asheville, N. C., for the past twenty-one years and have been engaged for many years in road construction work and I have never seen better engineers and finer men than are in the state highway department and I have been treated splendidly by all of the people of Tennessee, except the sheriff's office in Polk county.

**Refused Bond**

"Judge John J. Blair fixed my bond at \$2,500 and I have offered that bond through my attorney to Sheriff B. E. Biggs with the United States Fidelity and Guaranty company as my bondsmen, but Sheriff Biggs has refused this. Today I tendered this bond to the sheriff of Hamilton county and the committing magistrate and this has been approved and I am released.

Previous to his surrender, Sheriff Biggs had refused to accept a \$2,500 bond McFadden and his attorney had obtained. Three days afterwards, February 17 Judge L. D. Miller, in granting a petition for a writ of habeas corpus in McFadden's behalf, ordered the sheriff to accept the bond.

Escorted by two Hamilton county (Chattanooga) detectives the Asheville man went to the Polk county line to meet Sheriff Biggs and made the bond. "We drove up to the county line, handed over the bond and turned around and came back to Chattanooga." Attorney John S. Wrinkle said.

**Will Not Drop Case**

The family of the slain man, yesterday said that "they planned to push the investigation as high as necessary to have justice done." David McFadden, Jr., said arrangements had been made with Mr. Wrinkle, his father's attorney in Tennessee to handle the case.

Other than the message received by Mr. Witt from Washington, there was nothing to indicate federal authorities will enter the case, as they did when McFadden was injured last November while on a WPA project.

Last rites for the contractor were held yesterday afternoon at Brownell-Dunn funeral parlor, burial following in Riverside cemetery.

McFadden, whose family resides at 14 Sheridan road, is survived by his widow; two sons, David, Jr., and Frank McFadden; a daughter, Thelma; his mother, of Chattanooga; four sisters, Mrs. T. V. Cartwright, Mrs. Kate Walker, Chattanooga, Mrs. J. J. Light, Eastdale and Mrs. Eva Harris, Nortonsville, and one brother, J. D. McFadden, Chattanooga.

Frank Palmer of Hollywood, Calif., runs a rat farm and earns his living by renting trained rats to the movies.

**Paid Political Ad**

Murphy, N. C. May 20th, 1936.

To: Edwin Hyde, present Representative of Cherokee County, Candidate to succeed himself, and my opponent:

The following is an open letter which contains declarations, principles and questions which I wish to submit to you:

- (1) I am asking you as a lawyer and as Representative of the people of Cherokee County to meet me on the "Stump", in joint debate and discuss the issues before the people in the following precincts in this County and on the following dates:
  - Bates Creek School House—Friday, May 22nd—7:00 P. M.
  - Walkers School House—Tuesday, May 26th, 7:00 P. M.
  - Culberson, May 27th, 7:00 P. M.
  - Hot House at Johnson School House, May 28th, 7:00 P. M.
  - Shoal Creek, Friendship School, May 29th, 7:00 P. M.
  - Liberty, May 30th, 7:00 P. M.
  - Long Ridge, June 1st, 7:00 P. M.
  - Beaverdam, June 2nd, 7:00 P. M.
  - Hangindog, June 3rd, 7:00 P. M.
  - Brasstown, June 4th, 7:00 P. M.
  - Peachtree, June 5th, 7:00 P. M.

You are a lawyer and have the honor and distinction of representing the people of Cherokee County and ought to be able, competent and qualified to meet an ordinary farmer in open discussion of the issues in the coming Primary of June 6th, 1936.

(2) I am asking you the following question:

(a) Where were you when the Chairman of the Board of County Commissioners and his attorney came to Raleigh, and for what purpose did they come, and what did they do there?

(3) Do you mind telling the people who drew the bill providing for the consolidation of the bonded indebtedness of Cherokee county? Did the Chairman of the Board of Commissioners draw the bill? Did the attorney for the Board draw the bill or did the Senator from this District draw the bill?

(4) Did you not state publicly in the presence of myself and many other citizens in the Town of Murphy that the Attorney for the Board drew the bill and that you passed it through the House?

(5) Did you not tell in your hometown, Andrews, N. C., that Senator Browning drew the bill and that you made an amendment providing for a vote of the people?

(6) Do you tell the people of Cherokee County that you are so ignorant of public affairs that you did not know that those whole system of bond consolidation was a scheme to help a few wealthy men who had purchased different bonds of Cherokee County at ridiculously low prices and to make them worth 100 cents on the dollar?

(7) If you knew the motive and purpose of this bill why did you allow it to pass the House at all, and

if you didn't know what it was all about, why did you sit still and allow it to pass and thus gamble with the interests of the ordinary citizens of the county?

(8) Is it not a fact that you allowed Cherokee County to be divided up into three Districts for the election of County Commissioners by the Legislature in that you refused to support the Representatives of the Eastern counties who desired liquor stores in their counties and thus lost their support for your opposition to the Cherokee Bill when the question of liquor stores or no liquor stores only affected the Eastern Counties and had no effect on Cherokee County whatever?

(9) Is it not a fact that the division of the County into Commission Districts is the hardest blow the Republican Party has received from the Legislature in many years, in that the Board of County Commissioners will be filled by Democrats, and did you not say that your opposition only failed by two votes and would you not have succeeded if you had aligned yourself with the Eastern Democrats on the question of liquor stores which would not have affected your County at all?

These are some of the vital questions that confront the people and upon which questions they would like to hear an expression of opinion from you.

In conclusion: I wish to make the following declaration, announcement and charge:

That in the Convention in which you were nominated that it was well understood beforehand that you would be a candidate and that you would be nominated although it was part of the scheme and plan that you would appear before the Convention and pretend that you was not a Candidate, that you did not want the Office and leave the impression that the whole thing was forced upon you by the Convention; I further charge that in 13 precincts in the County there was no meeting held for delegates to the Convention but instead either the chairman of the precinct committee or some member appeared at Murphy and that these men were instructed by the "Machine Gun" Ring in our party to vote for you beforehand, and before the Convention was held even though you should appear to withdraw. That in the North and South Ward of the Town of Murphy the delegation to the Convention was known as the Peckerwood and Howell Convention and that on Monday the man known as Peckerwood cast six votes for you in the Convention; should Peckerwood die tonight he has no friend to put a flower on his grave; I am offering \$10:00 reward to any man who can find one friend for him.

I am now asking you to meet me at the above precincts and at the above dates and times and explain your record as Representative in the Legislature, and if you do not meet me the Seal of Condemnation of the people of Cherokee County should be everlastingly written across your forehead in large and glowing letters.

Respectfully,  
S. A. VOYLES.

**Henn Theater**

Thursday and Friday, May 21-22

**'The Prisoner of Shark Island'**

(The true story of a nation's hidden shame!)

Starring—Warner Baxter with Gloria Stuart!

Condemned to a living death for a crime he did not commit! Tortured . . . martyred . . . betrayed by all the world, but one woman!

Also comedy — Matinee Thurs. 2:30

Saturday, May 23

**"TOUGH GUY"**

—With—

Jackie Cooper—Rin Tin Tin, Jr.—Jean

Hearsholt

Touchingly human — and packed with mile-a-minute action thrills!

ALSO

A Silly Symphony ("Water Babies")

MATINEE 2:30

Monday, Tuesday  
MAY 25TH

Samuel Goldwyn  
PRESENTS

**"THESE THREE"**

MIRIAN HOPKINS,  
MERLE OBERON,  
JOEL McCREA.

Matinee Mon. 2:30

Wednesday, May 27

Stan Laurel,

Oliver Hardy, in—

**"THE BOHEMIAN GIRL"**

Remember this is  
Leap Year Wed.