

The Scout Brings You Weekly All The News

THE LEADING WEEKLY NEWSPAPER IN WESTERN NORTH CAROLINA, COVERING A LARGE AND POTENTIALLY RICH TEXRITORY

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Murphy, N. C. Thursday, April 6, 1939

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Frazier To Be **Tried For First Degree Murder**

A first degree murder indictment was returned by the Cherokee County superior court gand jury against Charley Frazier of Andrews Tues-day, and the former Valleytown township constable is expected to go trial Monday. Frazier shot Policeman Kimsey Wyke, also of Andrews, in the chest with a shot-gun blast on the night of February 3. Wyke was brought to the Petrie hospital where he died a week later.

week later.

week later. Following the shooting Frazier gave himself up voluntarily to the local sheriff's office. According to reports Frazier and the officer, who was not on duty at the time of the shooting, had spent several hours during the evening to-cether. The shooting commend in gether. The shooting occurred in front of the Frazier home following an alleged argument between the two

men. It is probable that Judge Zeb V. Nettles, who is presiding over the ses-sion of Superior court here at pres-ent, will wait several days before placing this case on the stand as two days was taken up the past week with the trial of Charley Fain and the court will want to clear some of the less important cases off the docket before taking the murder trial.

J. N. Moody and J. D. Mallonee, Murphy attorneys, will defend Fraz-ier, while the prosecution will be re-presented by R. L. Phillips, of Rob-binsville.

EDUCATION BOARD MEETS, QUALIFIES HERE ON SATURDAY

Members of Cherokee County's Members of Cherokee County's new board of education met at the county superintendent's office here Monday and qualified for their posts. A. L. Martin, county superinten-dent, said he would call the board to gether soon for another meeting. The new board was elected in the fall primaries and was approved by the state board of education. Members are: Mrs. G. W. Course

Members are: Mrs. G. W. Cover, J. T. Hayes, B. M. Harbin, E. L. Shields, B. B. Palmer, E. B. King, and Lawson Lunsford

Mrs. Cover is the only member who served on the previous board.

\$2225.70 Given Here In Welfare Payments

A total of \$2225.70 in checks to needy aged and to dependent children have been distributed for the month of April by Linnetta Dean, Cherokee county welfare superintendent. To 177 residents of the county went \$1,604.20 in old age assistance wayments while dependent children

payments, while dependent children received a total of \$621.50

Sunday and Monday Local fishing enthusiasts will get break this week-end! D. M. Birchfield, local game and D. M. Birchfield, local game and fish protector, received word from Raleigh Wednesday that "in line with the custom of the past few years, the board has voted to al-low fishing on Easter Sunday and Monday, April 9 and 10. "This applies to the taking of

To Permit Fishing

"This applies to the taking of warm water species and coarse fish

and not to mountain trout."

JUDGE HILL MAY **RETIRE BECAUSE** OF ILL HEALTH

Early retirement of Special Superfor Court Juoge Frank S. Hui, of Murphy, dut to ill neaitn, and the appointment of former Judge A. Han Johnson, of Asneville, to succeed him have been forecast in state pointical circles, according to daily news paper accounts.

The general assembly last week en. acted into law Senator Jack Morphew' acted into law Senator Jack Morphew' measure which will enable Judge Hill to retire on account of ill nealth with the same compensation granted regular judges. The Morphew act ex-tended to special judges with six or more years of service the regular re-tirement and disability benefits of the state judiciary. Judge Hill, former Murphy attor. ney, who was originally appointed by Gov. O. Max Gardner and reappoint-ed by Gov. J. C. B. Ehringhaus and Gov. Clyde Hocy, has been seriously ill for several weeks. Judge Hill's two-year term as a

ill for several weeks. Judge Hill's two-year term as a special judge expires June 30 but as a general rule the governor reap points the special judges. They are named for two-year terms and each legislature authorizes the governor to name a certain number of special judges. judges.

judges. There is some possibility the gov-ernor may wait until the beginning of the next two-year term for special judges on July 1 before naming Judge Hill's successor. However, that prob-ably will depend upon the date of the retirement of the Murphy jurist. Judge Hill is very widely-known here coming from one of the county's oldest and most prominent families.

JUDGE ORDERS INSPECTION OF COUNTY SCHOOLS

Much work was heaped on the

Much work was heaped on the Cherokee County Superior court grand jury's shoulders by Judge Zeb V. Nettles, of Asheville, when he gave his charge to the grand jury at the opening of court on Monday morning. Among other routine work ordered of the grand jury by the judge is the thorough inspection of all schools and all school busses in the county. With the large criminal court cal-endar facing them, the grand jury

endar facing them, the grand jury this term has more work to do than it has had in a long time.

Fain Sentenced To Die In Gas Chamber May 12

All-Stars To Play Knoxville Sunday

The Cherokee County All-Stars will play their first baseball game of the season at the Marble park against the Knoxville Caterpillars Sunday afternoon at 3 p. m. (E. S. T.)

S. T.) Manager T. W. Kindley annonne-ed the following probable line-up Ray Barton, catcher; Sowder, Queen and Hawkins, pitchers; Hen-sley, Harley Barton, Johnny Ta-tham, Johns, Weil, May and Pitzer, infielders, and Plesko, Stud Ta-tham, E. Hensley, Piercy and R. Parker, outfielders.

COMMISSIONERS TO SERVE FOUR YEARS **BEGINNING IN 1938**

Cherokee county commissioners will serve a term of four years begin-ning with the present board's term as the result of legislation passed before the general assembly adjourn-ed last week.

ed last week. The bill providing for a four-year term for county commissioners begin-ning with the 1938 elections was in-troduced by Senator Jack Morphew, of Graham. A similar bill providing for four-year terms beginning with the 1940 elections was introdened by Representative Clyde H. Jarrett in the house but it was defeated in fav-or of Morphew's bill. Another bill introduced by Mr. Jar-rett was passed extending the terms of office of county surveyor and township constables to four-year terms beginning with the elections in

terms beginning with the elections in

Representative Jarrett retarned from Raleigh to his home in Andrews last Sunday.

Duchess Beauty Shop To Open On April 13

A new beauty parlor, to be known as the Duchess Beauty Shop, will be opened by Misses Cecile Davis and Mary Cathron Hensley in the Adams building Thursday, April 13. Formal opening of the shop will be held by the two popular young ladies on that date. The shop will occupy Suite 13 in the building.

Both girls have had a great deal of experience in beauty parlor work, and much new equipment will be added to

Found Guilty Of Two **Capital Offenses Here**

Charles Fain, 26-year-old Murphy Negro, will die in North Carolina state prison's gas chamber at Raleigh on May 12 for the criminal attack of a nurse and the robbery of purse containing money, jewelry and other articles from a woman patient who had been a mother for only a few hours at a hospital here the night of January 28.

The verdict was given by a Superior court jury here Wednesday night following the most sensational trial ever held in Cherokee county.

After the jury had convicted him of first degree burglary and rape, Judge V. Nettles solemly pronounced the death sentence before several hundred people who had gathered in the court room during the extra night

The jury got the case at 6:35 p. m. and deliberated an hour and 15 minutes. Judge Nettles pronounced the sentence at 9:30. Fain's attorneys, appointed by the court, announced the case would be appealed. Immediately the prisoner was whisked away to Raleigh by Sheriff Carl Townson and other officers.

COUNTY HEALTH GROUP TO HOLD SCHOOL CLINICS

The County Health Department will hold the following preschool clinics for the purpose of examining children who will enter school next session for the first time.

Monday, April 10, at Peachtree at 10 o'clock a. m.

Wednesday, April 12, at Murphy 1 o'clock p. m. Monday, April 17, at Andrews at at

1 o'clock, p. m. Wednesday, April 19, at Martins Creek at 1 o'clock p. m.

Creek at 1 o'clock p. m. "It is of the utmost importance that your child or children be physi-cally fit to enter school. Very few children can progress satisfactorily in their studies if handicapped by bad health. Most of the causes of bad health. Most of the causes of bad health in children can be removed or remedied. These causes should be re-moved or remedied before your child enters school so that he or she may make the most rapid progress possi-blie. blie.

"Please come and bring your child at the place and time indicated above" officials stated.

New Store Opening Here This Week End

The formal opening of the Bowers Bargain Bilt store will be observed here on Friday and Saturday of this

The store is located in the building prmerly occupied by Mallonee & formerly occupied Davidson.

The new managers announced they have a clean, new stock of Easter merchandiso and are advertising them it. grand opening extaensively in this section.

The building has recently been re-

Prisoner Unaffected

Fain was unmoved as the verdict

Fain was unmoved as the verdict and sentence were pronounced. He sat down in his chair behind his at-tornies, yawned, and then smiled broadly while conferring with them. "I don't give a dann what they do to me", he told one of his attornies. Ten highway patrolmen and a large number of sheriff's deputies were maintained during the trial but there was no attempt of any demonstra-tion at any time in spite of the fact officers were kept busy controlling the milling crowd that throaged in the court room and in the hall during the two days of trial. The case opened Tuesday morn-

the two days of trial. The case opened Tuesday morn-ing, one day after the Superior court had convened for its regular April session of two weeks of trial of crim-inal and eivil cases. Over 200 cases of all descriptions appear on the criminal docket and it is doubtful if they will be disposed of during the two weeks session in time to hold a session of civil court. The improvement of the set of the set of the set of the two weeks set of the set

session of evil court. The jury was selected from a spec-ial venire of 125 men ordered by Judge Nettles and selected by Sherifi Townson from which to draw the jury. Selection of the jurors occupied the entire morning session Tuesday. Testimony Begins After noon on Tuesday the presen-tation of testimony beran.

tation of testimony began.

Fain, who was arrested in Mary-ville, Tenn., on February 3, six day-after the crimes laid to him had been committed, had been kept in the Ashe-ville jail until the Sunday morning before the trial was held. He was brought into Murphy under cover of darkness early Sunday by Sheriff Townson and Chief of Police Wred Johnson, of Murphy, who went to Asheville to bring him here.

Although the jail was closed to visitors during Fain's confinement here, no extra guard was placed over

Fain a light-skinned Negro, about five feet, nine inches tall and weigh-ing about 145 pounds, first appeared in court Monday afternoon and plead-

TVA Exonerated Of Charges By Committeemen In Hearing Tuesday

3-Member Minority

the that ley new chains and the short mention of the state of the stat

Upholds Dr. Morgan's held Dr. Arthur Morgan's charges his charges on the GAO's controver-Dr. Arthur Morgan based many of

Charges	equitable, and said that when "the	Administration of TVA the ma	painted and renovated.	Continued on page 3
verruling a Republican minority, joint congressional committee	truth is known, it will hurt the cause of public power."	jority found. has been economical and efficient, while the minority	COUNTY SCHOOLS PA	
investigated the Tennessee Val- authority Tuesday exonerated the deal's chief power agency of	The minority accused their co-in- vestigators of "whitewashing" the TVA and drawing conclusions "in	Intential and Dr. Harcourt Mor-	FIELD DAY EXERCISE	S MARCH 22 The Cherokee County Field Day
ges that its administration was through with fraud, mismanage- t and waste.	the teeth of the record." The inquiry, for which congress appropriated \$75,- 000, has been incomplete, but demon-	Weather Vane	Half Of Concrete Is Poured In TVA Dam	Exercises held at Martins Creek were described by many of those present as an outstanding educated meet.
nding nine months of inquiry, committee's majority of five ocrats and one Republican com-	strates, they said, the need for sweep. ing changes in TVA administration.	Listed below are maximum and minimum temperatures and rainfali for the past week compared with	During the past week the half	There were five schools participating in the events. All of the contestants seemed enthusiastic in their efforts
"ly cleared TVA Directors David nthal and Dr. Harcourt A. Mor. of charges that they were re-	Transfer of all elements of river control, including generation of elec- tric power, should be made to army	similar data for last year. TEMPERATURES	It was on April 20, 1938, that	to win and good sports when they lost. The first events of the day were
sible for mismanagement. he accusations were made by Dr. hur E. Morgan, TVA's first chair-	engineers, the minority argued. It also asked that manufacture of pros- phates, one of TVA's principal activi.	29 66 41 70 54 30 67 54 79 57 40 40 40 40 40	the first bucket full was poured. It is estimated that the concreting will be completed about March 1,	held in the auditorium. In the recita- tion contest: Dorothy Ingram, of Martins Creek, won first prize. Mamie
, after a year-long controversy ch culminated in his dissimal by sident Roosevelt after he refused	ment of agriculture.	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	1940.	Lee Kilpatrcik, of Walker, won sec- ond prize. Mildred Bandy, of Wolf Creek, won third prize. The deelama-
livulge his "evidence" except to ongressional investigating commit-	taken by the general accounting of- fice in its 1934 audit of TVA were ac. companied by a large amount of dis-	$\begin{array}{cccccccccccccccccccccccccccccccccccc$	A DECEMBER OF A	tion contest followed with Billy How. ard, of Martins Creek, winning first prize. Lewis Simonds, of Wolf Creek.
"not supported by evidence"	organized and unsupported comment, having no proper place in an audit. It	RAINFALL INCHES 1939 1938	hold a big square dance in the Fair building in Murthy "sturday night at 8 o'clock. A large crowd is ex.	winning second prize. The grades were then taken to
vailable facts."	recommended, however, that TVA be audited by a private accounting firm.	Total since January 1 21.83 13.73	pected and all are welcome.	Continued on page 2