

# Sylvan Valley News

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## SUPERIOR COURT

The fall term of Superior court met Monday morning at ten o'clock with his Honor M. H. Justice presiding and Mr. Hall Johnston of McDowell county solicitor. The court was organized in a remarkably short time and before the noon recess a number of cases were disposed of. The charge of his Honor to the jury was very brief, but comprehensive, and at no time did the judge bother the minds of the jury by legal phrases and questions of law, but left them to use their common sense and judgment. On calling over the docket of criminal cases it was found to contain forty-two cases, but a large number of these were continued for various reasons. Several defendants had not been taken, and in others important witnesses were not present. It is probable that the grand jury will add a number of cases to the docket before their deliberations are completed.

The following gentlemen were sworn in as a grand jury: J. M. Thrash, foreman, R. H. McCall, Clyde Ashworth, J. W. Burns, F. C. Cisson, J. E. Thomas, W. L. Sentelle, M. H. Fowler, J. D. Owen, D. H. Thomas, D. S. Morgan, J. R. England, T. S. Wood Jr., J. L. Grayley, John Merrell, Amos McCall, P. J. Woodfin and J. McD. Cantrell.

On taking up the docket the following disposition was made of the cases below given:

State v. Dillie Owen, breaking jail, *capias* and continued.

State v. Eule Robinson, larceny, *nol pros*.

State v. John D. Galloway, fornication and adultery, *capias* and continued; defendant not taken.

State v. Tom Conley, killing stock, *capias* and continued.

State v. Bob Curry, abandonment, *nol pros* with leave.

State v. Elzie Tinsley, abandonment, *nol pros* with leave.

State v. Reuben Reid, retailing, *nol pros* with leave.

State v. Asbury Cantrell, retailing (two cases), *capias* and continued.

State v. Riley Medlock, retailing (two cases), *capias* and continued.

State v. H. P. McGee, carrying concealed weapons. This case was an appeal from the judgment of the recorder, and after the case was put on the docket of the Superior court the defendant decided to pay the \$100 fine taxed by the recorder and so the appeal was withdrawn.

State and C. C. Duckworth v. J. M. Zachary, failure to work the roads. This case was an appeal from the costs. It will be recalled that this case was in the recorder's court a short time ago, and at that time the defendant Zachary was found not guilty and the costs were charged to Mr. Duckworth as prosecuting witness. It was from the payment of the costs that the appeal was made. When the case was called in Superior court Monday morning Mr. Duckworth was not in the court room and so the appeal was dismissed and the costs taxed to Mr. Duckworth.

State v. Mick Smith, retailing. In this case the question of whether the Superior court or the recorder's court had jurisdiction was raised. The case was sent to the recorder, where he was found not guilty.

State v. Alf Smith, retailing, sent back to the recorder's court, where he was found not guilty.

State v. J. F. Cisson, larceny. In this case it was charged that the defendant, a very old man, had taken timber, tan bark and cross ties from land adjoining his own. The state failed to make a case, however, and Solicitor Johnson moved that the defendant be declared not guilty.

State v. Charley Jennings, John Robinson and Jack Robinson, failure to list taxes. The plea of the defendants was that they were guilty, but they had no notice as to the proper time to list taxes. On their showing that they have since listed and paid the taxes the court

dismissed them on payment of the costs.

The first trial by jury came when the case of State v. Ed Wilson was called. He was charged with disturbing religious worship, the singing convention at Rosman a few months ago. It came up on appeal from the recorder's court where he was sentenced to six months on the roads. The jury found him guilty, and the judgment of the court was that he work six months on the roads if he could not pay \$100 and costs.

State v. George Fortune and Robert Smith, housebreaking. Defendants plead guilty to trespass. Judgment suspended on payment of costs.

State v. T. Razook, peddling without license, sent to recorder for trial.

State v. Art Banthr and Dock Banther, disturbing religious worship, judgment suspended on payment of costs.

State v. Fred Gash, forgery. In this case it was charged by the state that the defendant had erased the name of the purchaser of an express money order and had substituted his own, and sent it to a liquor house in Tennessee. After the jury had returned a verdict of guilty the court sentenced him to the roads for ten months. On questioning the defendant the court added two more months to the sentence, possibly because he denied his guilt, although the evidence against him was unshaken.

State v. Pat Henry, Dock Newman and Wesley Allen, trespass. Not guilty as to Henry and Allen. Newman had not been taken, but as he was no more guilty than the other two a *nol pros* was taken as to him.

State v. W. E. Fagan, fornication and adultery. Defendant plead guilty and was sent to the roads for twelve months. In this case it appears that the defendant was married in Rutherford county five years ago, that about a year ago he left his wife and child there and came to this county and married again, his second wife not knowing anything about the first. Both wives were in court, and although the brother of the first wife was the principal state's witness the first wife wants to get her husband free to live with him again. It was testified by her brother that her property had all been squandered by the defendant, and although the first wife had been deserted she still wanted him back.

State v. Will Norris, assault. The recorder tried this case and sentenced the defendant to twelve months on the roads. It appears that the wife of the defendant had cursed him and called him a vile name and that he had struck her. The verdict of the jury was that he was "guilty, but justified." Judgment \$5 and costs.

State v. Will Norris, assault on his mother-in-law, \$5 and costs.

State v. Coy Morton and Crawford Morton, assault with a deadly weapon (two cases), *capias* and continued.

State v. Ed Waldrop, retailing, eight months on the roads. This case was peculiar in one way. The defendant was charged with selling a pint of whiskey to a man who was out of the county at the time of the trial, and in the examination of another witness it was found that he (the witness) had bought a gallon and three quarts from the defendant.

State v. Ed Waldrop, retailing, judgment suspended on payment of the costs.

State v. V. Fontaine, assault. This was an appeal from the mayor's court, where the defendant had been fined \$20 and costs. The court, after hearing the evidence, changed the fine to \$10 and costs.

State v. Flora Duncan, retailing, *capias* and continued.

State v. Bunyan Mills, seduction under promise of marriage. Only the prosecuting witness, Loratta Aiken, was examined in this case; after her testimony it was shown that a marriage contract had never

## TWO STILLS DESTROYED

Since his appointment to the revenue service Chief J. A. Galloway has been very active in destroying various "moonshine" plants in the western section of the state. Already in the month of September he has two to his credit.

On Monday Chief went to Wolf Creek in Jackson county and cut up a still, all by himself. He says that a number of shots were passed between himself and the block-aders but he did not get the men. He got evidence enough to convict them, however.

On Tuesday Mr. Galloway, accompanied by Mr. F. V. Whitmire of Brevard, went to a place near J. F. Cisson's and destroyed another. Wednesday Mr. Galloway and Mr. Whitmire went to—but that possibly will make another story. They haven't returned yet.

## A SERIOUS ACCIDENT

Mr. T. B. Connor, an employe of the Carr Lumber Co., at Pisgah Forest, had the misfortune to lose the four fingers of his left hand while at work in the mill last Thursday.

Mr. Connor was employed in looking after what is known as the "live rollers" which convey the freshly sawed lumber from the big saw to the "edger," and in some manner got his hand caught in the gear of the rollers.

His hand was so badly crushed it was found necessary to amputate the four fingers and a part of his hand, leaving only the thumb and a stump of the first finger.

Mr. Connor, previous to his employment at Pisgah Forest, was a deputy sheriff of Henderson county, his home being in Hendersonville.

## SPECIAL SESSION

The recorder's court met in special session Saturday morning for the trial of the two cases against Owen Orr which were continued from the session on Monday of last week.

In one case the defendant was charged with carrying a concealed weapon to-wit, a pair of knucks, and in the other a charge of trespass was entered against him.

It seems that the defendant went to Mr. W. S. Ashworth's commissary on Cathey's Creek and got into a misunderstanding with Mr. George Shuford, the man in charge, about his account. He was ordered from the place and got into a scuffle with Mr. Shuford and drew a pair of knucks out of his pocket.

After hearing the evidence in the two cases the recorder declared the defendant guilty of both charges. For carrying a concealed weapon he was fined \$100 and costs or three months on the roads. For trespass he was fined \$50 or thirty days. Formal notice of appeal was entered and bond of \$200 in each case was made.

At the session Saturday morning the recorder ordered the clerk to issue *capiases* for all defendants and prosecuting witnesses who had not paid their fines and costs in full.

Mr. Brooks Wilson bought at the legal sale last Monday the E. W. Carter residence on Hamlin hill.

existed, and that therefore the defendant was not guilty. The case was dismissed.

State v. B. Henderson, disturbing religious worship—the singing convention at Rosman. This was an appeal from the sentence of the recorder of six months. The jury found the defendant guilty but recommended mercy on the part of the court. \$75 and costs.

State v. Boyd Barton carrying a concealed weapon—a razor. In this case the defendant had been fined \$100 and costs by the recorder, from which he appealed. The jury declared the defendant not guilty.

## JUNIORS MAKE PRESENT

Last Sunday afternoon, beginning at 3 o'clock, there was an interesting program of exercises at the graded school house, the occasion being the presentation of a Bible and flag to the school by the Transylvania Oouncil Junior Order of United American Mechanics.

The Juniors met at the fraternity hall and thence marched to the school house in a body. The exercises were opened with a song, "America," by the congregation, and prayer by Rev. A. J. Manly. An opening address was made by Mr. E. C. Neill, in which he made known the object of the meeting and some of the aims and ideals of the Junior Order. This was followed by another song, after which Mr. M. A. Johnson, one of the order, made an address. Mr. Johnson had something good to say and said it well, his speech being much appreciated by the Junior members and others.

Mr. Johnson was followed by Mr. T. C. Henderson, also a member of the order, who read an instructive and well prepared paper. After another song the presentation ceremony took place. Mr. Henderson, in the absence of Rev. C. M. Carpenter, gave a large, handsome Bible in the name of the Juniors to Mr. Arthur Ranes, principal of the school. Mr. Ranes in accepting responded appreciatively and made a bright, cheery talk. The flag—or rather a substitute, the real present not having arrived—was presented by little Miss Geneva Neill for the Juniors to Miss Hattie Aiken, who responded briefly for the school, and explained to the children the meaning of the flag and its patriotic symbols.

The audience adjourned to the grounds and witnessed the hoisting of the flag on the front of the building by the members of the order, Messrs. William Miller, Perry Galloway and Harvey Rogers.

In the speeches made during these exercises the people were taught a good deal about the Juniors and what they stand for. A leading principle emphasized by the speakers was the reading of the Bible in the public schools. In view of the opposition to all kinds of religious instruction being urged in various parts of the country, this ceremony of the Juniors assumes a deep significance and entitles the order to a high place among the fraternities.

## COURT ADJOURNED

The sessions of the Superior court came to a close Wednesday afternoon. For various reasons a very few cases on the civil docket were ready for trial and so the work of the court was very limited.

All men who were summoned to appear next Monday either as jurors or witnesses are notified their presence will not be necessary.

## GRANT FAMILY REUNION

Messrs. L. M. Grant of Spartanburg, S. C., J. M. Grant of Phœbus, Va., and T. C. Grant of Dalton, Ga., arrived Tuesday for a visit to their father, Mr. O. P. Grant, who lives at the Allen England place on King's creek, near Brevard. Mr. J. M. Grant is accompanied by his wife, who is a daughter of Mr. R. T. Aiken of Brevard.

This is the first time the three sons and their father have been together for ten years, Messrs. L. M. and T. C. Grant will only remain here for about a week or ten days, while J. M. will probably remain until Christmas.

The oldest of these sons is now past sixty-one years, and upon his arrival at his father's home Tuesday afternoon he found the old gentleman nursing his baby, a lad of eight months. Mr. O. P. Grant, the father, is now living with his third wife. Although he is now past eighty-eight years old he is able to stir about as well as the average man of sixty years.

## ALDERMEN MEETING

The board of aldermen held their regular monthly meeting for September in the mayor's office Monday night. Only a few matters of business came before the meeting, but the few that did come up were of a very important nature.

A committee from the Forward Movement Association, consisting of Revs. Chapman, Norwood and Cross, came before the board wanting to know why the Sunday closing ordinance, passed at the last regular meeting, was not being enforced. The committee reported that one of the drug stores had been observing the new law but the other had not.

The trouble about the matter seemed to be that the ordinance had never been published, and therefore could not be enforced until this was done, whereupon they urged the board to have the ordinance published at once.

Mr. W. E. Breese, Jr., representing property owners on the east end of Main street, came before the board and asked that the street paving be extended three hundred and fifty feet beyond Franklin street, which would take the paving to a point near the entrance to the Boardman place. The request was granted.

Mr. T. H. Galloway was elected as a member of the board of aldermen to take the place of Mr. J. E. Cox, resigned. Mr. Galloway will probably take office at the next meeting of the board.

The usual claims were allowed and ordered paid.

## FUNERAL OF GEORGE HAMLIN

The body of George Hamlin, who was accidentally killed by a falling tree in a logging camp in Washington state, was brought to Selica for burial last Monday night. The funeral services took place at Cathey's Creek church Tuesday afternoon. The sermon was preached by Rev. R. D. Cross. The pall bearers were: Messrs. J. W. Smith, C. M. Doyle, Sam McKelvey, James Dean, Joseph Barton and Charles Jolly.

Mr. Hamlin was twenty-eight years of age. He was the son of Mr. P. C. Hamlin of Selica and a brother of Mr. Lewis Hamlin of Brevard.

## BOYS AND GIRLS OF BREVARD

At the opening exercises of the graded school Monday morning Rev. E. H. Norwood conducted the devotional exercises, at the conclusion of which he read the following original poem:

The boys and girls of Brevard  
Are the ones who will try very hard;  
In the battle of life they will win every strife—  
Will the girls and the boys of Brevard.

The boys and the girls of our town  
Are the men and the maids of renown,  
Of the years that shall come when they've  
made a good home,  
The boys and the girls of our town.

The boys and the girls in their homes  
Are like kings and queens on their thrones;  
They work for the right and trust in God's  
might;  
In the hive there's no use for drones.

Then let's honor the youth of our city,  
May they be happy, wise and witty,  
And learn in our school the "golden rule"  
That makes boys strong and true, girls  
pure and pretty.

Oh boys and girls of fair Brevard  
We are trusting you and praying hard;  
Don't disappoint our trust for win you  
must—  
Be brave, boys and girls of Brevard.

## Caught a Bad Cold.

"Last winter my son caught a very bad cold and the way he coughed was something dreadful," writes Mrs. Sarah E. Duncan of Tipton, Iowa. "We thought sure he was going into consumption. We bought just one bottle of Chamberlain's Cough Remedy and that one bottle stopped his cough and cured his cold completely." For sale by S. M. Macfie. adv