

# MARION PROGRESS.



VOL XIV.

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NO. 18.

## PROFESSIONAL

**W. T. MORGAN**  
ATTORNEY-AT-LAW  
Office in First National Bank Bldg.  
MARION, N. C.

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DENTIST  
MARION, N. C.  
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At Old Fort second and fourth  
Monday's and fourth  
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Located on Southern and C.  
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Terms: One-half cash, bal-  
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## TO TOP OF BLUE RIDGE

Through Snow and Ice Says  
Spartanburg Herald.

### MEN IN JAIL

Three of Excursionists Were Ar-  
rested and Placed in Marion Jail.  
Over Three Hundred Made the  
Trip. Toe River Was Froz-  
en Over. Only one Fight  
During the Day.

Was ever excursion in such a  
season run? Well not often, any-  
way, and it is not likely that there  
will ever be another excursion from  
Spartanburg to the top of the Blue  
Ridge mountains in the dead of  
winter. But regardless of the  
weather and the season, the Spar-  
tanburg Herald's excursion to Alta  
Pass and Spruce Pine, over the C.  
& O., yesterday, the coldest day  
of the year, was a success from  
every standpoint. It was a delight-  
ful and exceedingly unusual outing,  
and from a financial standpoint the  
paper will not lose any money,  
though this had really been ex-  
pected. There were over three  
hundred persons on the train, the  
majority of them being from Spar-  
tanburg, though Mayo, Chesnee  
and other points along the line  
were well represented. Everybody  
enjoyed the trip, the coaches being  
comfortable, and the crowd with  
one exception was well behaved and  
good humored.

All kinds of weather was encoun-  
tered, from bright warm sunshine  
to lowering clouds and driving snow  
storms. Just beyond Marion, N.  
C., though the sun was shining  
brightly, a snow storm raged,  
sweeping down from the mountains  
above.

In the valley a little snow ap-  
peared in the sheltered places and  
on the north side of the hills, but  
as the mountain climb began snow  
appeared everywhere, and snow  
storms swept the valleys below,  
while the sun shone bright above.  
It was a remarkable winter day in  
the mountains, and those who wit-  
nessed it will always remember  
their crossing of the Blue Ridge in  
December. At Alta Pass, where  
the first stop was made, the ther-  
mometer registered 9 degrees above  
zero, with a stiff wind blowing.  
Here it took some fifty of the ex-  
cursionists to push the turn table  
around with the train's engine  
aboard, but this experience was en-  
joyed. After leaving Alta Pass  
for Spruce Pine, the Toe River  
was reached, and found to be froz-  
en over from bank to bank. At  
Spruce Pine several of the party  
ventured on the ice and found it  
safe.

The excursionists enjoyed the day  
and were delighted with the won-  
derful scenery of the return trip.

The only unpleasant incident was  
a personal encounter between Mar-  
tin Turner of Cherokee and Ralph  
McMillan of Fingerville in a smok-  
ing compartment of one of the cars,  
resulting in McMillan being cut on  
the wrist and nose. Chief Hill and  
Lieut. Nolen of the Spartanburg  
police force, who were on board,  
arrested the parties and put a stop  
to their rowdiness. At the instance  
of the railroad authorities, Turner  
McMillan, Trim Wall, W. C. Berry  
and another young man were  
taken off the train at Marion on the  
return trip to answer charges of  
disorderly conduct and drinking on  
the train.

The case of the young men  
charged with assault, drunk and  
disorderly conduct on the train was  
tried before Magistrate Ratliffe and  
Turner was bound over to the Su-  
preme Court under a bond of one  
hundred dollars. Berry was re-  
leased on the payment of costs and  
Wall was discharged.

Chief of Police Hall was in Mar-  
ion from Wednesday night until  
Thursday evening. Hall was elec-  
ted Chief of Police department at  
Spartanburg a few weeks ago.

Most disgusting skin eruptions, scro-  
fula, pimples, rashes, etc., are due to  
impure blood. Burdock Blood Bitters  
is a cleansing blood tonic. Makes you  
clear-eyed, clear-brained, clear-skinned.

## CASES APPEALED FROM McDOWELL

County Have Been Decided by Su-  
preme Court—County Lost Suit  
in Court House Case—Pless  
and Winborne Had Big  
Verdict Sustained.

Practically all of the cases in  
which our readers are interested  
which were appealed from the Su-  
preme Court to the Supreme Court  
have been decided.

The Johnny Wood case where  
the boy lost an eye and arm by the  
explosion of dynamite and the jury  
gave him a verdict for \$6441.00.  
The judgment of the jury was sus-  
tained by the higher court. This  
is one of the largest verdicts ob-  
tained in McDowell county recent-  
ly. The firm of Pless and Win-  
borne represented Wood and Hud-  
gins, Watson and Johnson the rail-  
road.

The Lowery case in which the  
railroad people by means of blast-  
ing threw rocks upon the house  
where the plaintiff was sick, the  
jury gave \$1500. This verdict was  
sustained in the Supreme Court.  
W. T. Morgan and Judge Avery  
represented Lowery, and Hudgins,  
Watson and Johnson the railroad  
company.

In the case of Crawford, admr.  
of Lytle, the negro who was killed  
at Old Fort and judgment was  
given for \$1700. This verdict was  
also sustained. Pless and Win-  
borne, and Hudgins, Watson and  
Johnson represented Crawford and  
W. T. Morgan and S. J. Erwin  
the railroad company.

In the court house case, the coun-  
ty lost in the Supreme Court the  
suit for damages where the jury  
gave \$1800. The court held that  
the county having accepted the  
work, could not go behind the ac-  
ceptance. But the court also held  
the \$1500 scrip was void.

The opinion of the Supreme Court  
in this case was as follows:

1. Suit was instituted to enjoin  
county commissioners of McDowell  
county from paying three notes of  
\$500 each to B. F. Smith. The  
county commissioners sued Smith  
for defective work done by him,  
and later the two actions were con-  
solidated, the county commissioners  
being made party plaintiffs. The  
case was removed to Burke county.  
The county commissioners were  
authorized by the Legislature to  
issue \$5,000 of bonds for the im-  
provement of the court house. They  
contracted with Smith for the sum  
of \$6,500 to improve the court  
house, giving him in addition to  
the bonds three notes for \$500 each.  
Upon trial, a judgment was ren-  
dered against Smith for \$1,800 for  
failure to properly perform con-  
tract and the bonds and notes were  
declared valid. Both plaintiff and  
defendant appealed. Plaintiffs ap-  
peal: Held that the Legislature  
having placed a limit of \$5,000 as  
amount of contract of improvement  
and county commissioners having  
contracted for \$6,500, the three  
notes for \$500 are void as exceed-  
ing the limit authorized by the Le-  
gislation of which Smith had full  
knowledge. Reversed.

2. Defendant's appeal: The con-  
tract with Smith provided that the  
county commissioners should ap-  
point an inspector to oversee the  
work. The work was fully ap-  
proved by the inspector and later the  
county commissioners approved the  
work as fully complying with the  
specifications. Afterwards latent  
defects came to light and suit in-  
stituted. Smith offered to repair  
the defective work but was refused.  
Held, that an inspector having had  
full opportunity to inspect the  
work and being approved both by  
him and county commissioners, the  
evidence does not sustain the judg-  
ment of \$1,800 against Smith for  
defective work and the judgment  
is reversed.

Hudgins, Watson & Johnson  
and Pless & Winborne for Smith,  
and W. T. Morgan, Judge Avery  
& Avery and Erwin for Burgin.

Itching piles provoke profanity, but  
profanity won't cure them. Doan's Oint-  
ment cures itching, bleeding or protru-  
ding piles after years of suffering. At  
any drug store.

## BIG INDUSTRY MAY LOCATE

Thousands of Acres of Fine  
Timber Land Bought  
NEAR WOODLAWN

T. T. Adams, of Richmond, Va., is  
Promoter—Will Build Tramroad  
from Armstrong Creek Section  
to Woodlawn Connecting  
with C. C. & O.—May  
Erect Mills and Fac-  
tories to Cut and  
Manufacture Wood  
Products.

A development, which will be  
gigantic in its proportions and  
which will mean much to the Wood-  
lawn section of the county as well  
as the county at large, is promised.  
This development will have its  
origin in the vast amount of fine  
timber in the county which for  
years has been inaccessible.

T. T. Adams, of Richmond, Va.,  
a capitalist, has purchased several  
thousand acres of fine timber lands  
an Armstrong Creek, near Wood-  
lawn. He is now obtaining the  
right-of-way for a tramroad to run  
from the upper part of Armstrong  
creek to the Carolina, Clinchfield  
and Ohio railroad at the Woodlawn  
station.

It is the plans and purposes of  
Mr. Adams and his associates to  
cut this great amount of timber,  
and it is now expected that a com-  
pany will build mills and factories  
along the route near where the  
lumber will be marketed and man-  
ufacture the out-put.

T. T. Adams and his brother  
have been here repeatedly lately,  
and the Marion Progress is in-  
formed on the best of authority  
that just as soon as the right-of-  
way is secured, an engineer will  
be put on the line, and then the  
road will be constructed.

It is hard for one to realize what  
great benefit will be derived from  
this enterprise in that end of the  
county. It has heretofore been  
inaccessible, and the timber has  
not been cut, and as the market  
was so hard to reach the magnifi-  
cent farming region about Wood-  
lawn has not received the atten-  
tion it will receive in the future.

This announcement coming as it  
does on the dawn of the new year  
should bring great rejoicing to  
the people, not only in that section,  
but the people of the entire coun-  
ty. It will mean a partial opening  
of hundreds of acres of fertile soil,  
it will mean an increase of business  
for the merchants of that section,  
it will mean profitable employment  
to a large number of people of the  
county and it will finally mean a  
substantial increase in the values  
of farm-lands of that community.

The establishment of the mills  
and wood working plants will  
bring skilled labor to the county  
and the ultimate value of these  
plants will be hard to conceive.

## ESTATOE.

Special to MARION PROGRESS.  
Estatoe, Dec. 28. Christmas passed  
very quietly at this place.

Charley Conley had the misfortune  
of his dwelling house near Penland blowing  
down. It had just been newly built.

Mrs. T. J. Miller is still very ill from  
the fall she had several days ago.

Ex-Sheriff Hopper, of Forest City,  
formerly of this place is visiting his  
mother and brothers here he has fur-  
nished instrumental music for Christ-  
mas.

Wm Huskins is probably seriously  
hurt by falling off his wagon a few days  
ago.

We are glad that the price of lumber  
will be better for 1910.

We had plenty of snow and ice and  
hard winds for Christmas.

We are burning lots of wood, making  
lots of ashes and will have plenty of  
home made soap next year.

We think we will have better times  
next year than during the past year  
high priced lumber will help some.

Uncle Tom's Steam Saw mill is froze  
up and something else will freeze if the  
cold weather continues.

E. Simmons is poorly with a cough.  
He is an old Confederate Soldier and we  
hope he will get better.

A prosperous New Year for the Editor  
of the Marion Progress. S. S.

## THE YEAR'S ACHIEVEMENT.

A Record of Year's Effort of  
Manufacturers' Club.  
ONLY PARTIAL LIST

What Marion Accomplished Along  
Industrial and Other Lines Dur-  
ing 1909. List Shows Mar-  
ion Has Made Many Strides  
Forward in Past Twelve  
Months. Number of  
New Residents  
Secured.

The benefits that Marion and Mc-  
Dowell county have derived through  
the efforts of the Manufacturers'  
Club during the year just closed  
are not to be so-called at or over-  
looked. That it has been one of  
the most important factors in the  
past years development of Marion  
must be acknowledged by all fair  
minded citizens.

Most of the work done will be  
productive of benefit in the future  
and efforts of the members of the  
Club will be rewarded in this year  
and several years after. The ad-  
vertising which it has done will  
bear fruit for years to come and it  
has stamped the word "Marion, N.  
C.," on the minds of many people  
who, when an opportunity arises,  
will begin an investigation of the  
town which they have read and  
heard so much about.

It brought together our people  
and instilled in many the enthu-  
siasm which is an absolute necessity  
in the advancement of a community  
and progress of a town. Enthu-  
siasm is the spark which kindles in-  
to progress, advancement and great-  
ness. If the Club had done nothing  
else during the year but arouse  
enthusiasm of a number of our  
people, it would be worthy of the  
unlimited support of all of our  
citizens.

To trace the accomplishments of  
the Club during the year from  
which all of our people directly or  
indirectly have been benefitted would  
be a hard task. But below are a  
few of the things which in them-  
selves should commend the organi-  
zation to the community:

1. Early in the year one of Mar-  
ion's most prominent citizens, Dr.  
Geo. I. White, interested himself  
in an effort to secure a cotton mill  
for Marion. He was given every  
assistance by the Manufacturers'  
Club and the citizens of the town.  
The ultimate result of the efforts  
put forth are known to all.

2. The securing of an excellent  
article in the Asheville Citizen set-  
ting forth the advantages and  
growth of Marion can be attributed  
direct to the Club. The result of  
this article is well known as the  
vice-president of the club remarked  
a short time ago, "It was a  
good investment."

3. The bringing of E. F. Baker,  
of Mooresville, to Marion to pro-  
mote a pants factory was due di-  
rect to the Club. An account of  
his visit will be found in another  
section of this paper.

4. C. E. Brown and family, of  
Brooklyn, N. Y., after a good deal  
of work, was secured as a new resi-  
dent. He will move to Marion  
early this spring and engage in the  
truck farming business.

5. David A. Shaw and family, of  
Pittsburg, Pa., will move to Marion  
this month. Shaw has already vi-  
sited the town and made his decision.

6. One of the most prominent  
new residents secured was Dr. W.  
S. Hay, who moved to Marion some  
time ago. Dr. Hay came to Marion  
with an enviable reputation, not  
only as a physician of skill, but as  
a good citizen.

7. D. L. Carlton and family,  
of Kernville, a lawyer, will arrive  
in Marion in a short time and will  
be associated with one of our most  
promising law firms. Mr. Carlton  
is a lawyer of experience and will  
be a valuable addition to the local  
bar.

8. The carrying of a petition  
before the North Carolina Corpo-  
ration Commission by Attorney J.

(Continued on 6th page)

## Build Your Home

The Money you Pay for Rent  
in a few years would Build  
you a Good Home.

If you buy your Lime, Cemet, Wall Plaster,  
building blocks and all kinds of building Ma-  
terial from us. If you cannot call, write us  
for prices on building materials.

Hay, Oats Corn, and Feed  
Stuffs.

Are Sold by  
**BUFFALOE & HEWITT**  
NEAR DEPOT. PHONE 137

## Watches and Clocks

ARE MORE APT TO  
**STOP**  
IN COLD WEATHER

WE DO STRICTLY HIGH GRADE  
REPAIRING IN ALL BRANCHES  
OF OUR BUSINESS.

**J. FRED SPRAGUE,**  
JEWELER and OPTICIAN  
MARION, NORTH CAROLINA

Cullowhee Normal  
and Industrial  
School

Special Course For Teachers

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**R. L. MADISON, Principal,**  
CULLOWHEE, Jackson County, N. C.

The next best thing to  
being prosperous is to  
appear prosperous.

It is of vital importance to you that the depository of  
your funds not only appears to be, but is, prosperous.  
That is gaining ground.  
That it has sufficient Capital and Surplus for all contin-  
gent and legitimate needs.  
That it is able to repay you your money on demand.  
We have a large Capital and Surplus.  
We are prosperous as well as aggressive and experienced.  
We pay over to you in money (not in trading stamps  
or check books) any deposit or just demand as cheer-  
fully as the same was received.  
And we solicit the business of all desiring the services of  
a concern conducted along these lines.

## The First National Bank

W. A. CONLEY, PRESIDENT GEO. I. WHITE, CASHIER

No one should be without  
**A Checking Account**

It is not only good business but SAFE,  
as your canceled checks from the bank  
will save you from paying a bill the  
second time. DO IT NOW!

**THE MERCHANTS AND FARMERS BANK**  
MARION, N. C.

T. F. WRENN, PRESIDENT GEO. W. CONLEY, V. PRESIDENT  
R. F. BURTON, CASHIER