

# MARION PROGRESS

A WEEKLY NEWSPAPER DEVOTED TO THE BEST INTEREST OF THE PEOPLE OF McDOWELL COUNTY.

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## REPORT OF GRAND JURY

County Home and Offices Reported in Good Condition—Improvements Recommended.

Report of the Grand Jury, February Term, 1912, Hon. Judge Foushee presiding:

The Grand Jury respectfully begs to report that they have endeavored to conform to the instructions given by his honor in his charge, and that all bills presented by the Solicitor have been acted upon, after due and careful consideration, and promptly returned to the Court.

We have carefully examined the offices of the Clerk of the Superior Court, the Register of Deeds and the Treasurer and have found each of them in good condition.

We find that the Justices of the Peace of the county have not been reporting to the Clerk, before each term of court, as required by law, and would recommend that the Clerk notify them before the next term of court, in regard to same.

We would recommend that a fire-proof safe be provided for the Treasurer's office for the safe keeping of his books and records.

We have visited the county home and find it in good condition, the inmates well fed, contented and comfortable.

We have visited the county jail and find it in good condition, except as stated in the following recommendations: We recommend that the whitewash on the interior walls and on cages be scraped off and replaced with paint. We have been advised that the cracks and scales in the whitewash secrete germs and insects, thereby endangering the health and lives of the inmates. We further recommend that an iron door be placed on the stairway leading to the upper story, in place of the wooden door, now in use. We further recommend that cots be provided for the prisoners, instead of mattresses thrown on the floor, as they now have. We specially recommend that Tom Pate be released from jail on account of his health. The county physician advises that the said Tom Pate cannot live more than three months if kept in confinement.

We further recommend that the open, unused well in the rear of jail be filled in.

We visited the Marion Township chain gang and find every thing in good shape, the prisoners well kept and cared for. We think it is in the best condition it has been in for years.

We would recommend that the ceiling of the down stairs hall in the court house be repaired, and that comfortable chairs be provided for the Grand Jury room.

We recommend that sign boards be placed on public roads and specially at the forks of roads, stating direction and distance to town or other places to which the roads lead.

We would recommend that Jeter laws, whom we find without a guardian, be placed in the county home or some place to be cared for.

F. M. BRADLEY,  
Foreman Grand Jury.

Light housekeeping is apt to make heavy bread.

## Court Proceedings.

The criminal docket was not completed the first week of court, but finished Monday. The latter part of last week and the first part of this week was taken up with the case of State vs W. A. B. Garrison. Every inch of the ground was hotly contested by the attorneys who represented the State and the defendant, and after the jury had retired for several hours, they rendered a verdict of "guilty of an assault with a deadly weapon," and Judge Foushee imposed a fine of \$100 and cost of the case, which will amount to a handsome sum.

The first case called on the civil docket was Trinks vs The Marianna Hotel Company, the other hotel cases having been compromised before the cases were called for trial. The Trinks case has not yet been given to the jury, argument of counsel having just begun.

The most important case to be tried at this term is Chadwick vs Kirkman et als, which the plaintiff claims was a fraudulent conveyance of real estate at Round Knob.

The visiting attorneys are Hon. Ed. T. Cansler, of Charlotte; G. E. Gardner and E. F. Watson, of Burnsville; Mr. Steele, of High Point; J. F. Spainhour, and J. J. McLaughlin, of Johnson City, Tenn.

## Bridgewater News.

Bridgewater, Feb. 26. — Col. Thornton of Hickory spent a few days in Bridgewater on business.

Mr. and Mrs. S. P. Tate spent last Tuesday in Marion.

Miss Gertrude Gibson has been visiting in Glenwood.

Miss Zada Winkler of Lenoir spent Tuesday in Bridgewater.

M. L. Hilderbran, Abner Seals and Mr. and Mrs. Wilfong Tate left last week for Waverly, Va., to resume their work with the Virginia Bridge Co.

Miss Annie Lewis spent the latter part of last week at Union Mills with homefolks.

Misses Florence and Nettie Hemphill and Misses Laura and Mary Moore of Glen Alpine spent Saturday and Sunday here with the former's parents, Mr. and Mrs. W. W. Hemphill.

Mr. and Mrs. A. R. Buffaloe of Marion attended the celebration of Mrs. S. A. Rust's ninety-second anniversary last Tuesday the 20th. A few other members of the family were present. "Aunt Sally" as she is called by most everyone is unusually strong and apparently in good health and attends church regularly when the weather permits.

A. S. Abernethy of Hickory spent a few days in Bridgewater last week.

Miss Kit Dysart of Marion was here visiting her sister Mrs. B. Martin last week.

M. F. Tate spent a few days in Marion last week attending court. BETTYE.

Ex-Governor Aycock announces that he will open his campaign for the senate about April 1, his first speech being in Raleigh and his second in Charlotte. He will then make a state-wide campaign. The governor will spend time between now and the opening speech in resting and preparing for a great battle.

## NO ACTION TAKEN

As to Rutherford College—Board of Education Meets in Charlotte But Adjourns to Get Bids.

Charlotte Observer, 24th.

In order that the bids of the various cities and towns eager to secure Rutherford College might be tabulated and arranged in more definite form, the board of education of the Western North Carolina Conference of the Methodist Episcopal Church, which met in this city yesterday morning, adjourned without taking any action whatever looking toward the removal of the college from its present location near Compeley Springs in Burke county.

There were perhaps a dozen propositions of one kind and another before the board but none of them was regarded as being sufficiently definite to permit of comparison with others. It was therefore decided to adjourn the meeting, after instructing the secretary, Mr. L. B. Abernethy, to secure all the bids in detail and definite form and have them ready to submit at the next meeting.

Any attempt to give the various bids would be futile. Charlotte, Statesville, Taylorsville, Winston-Salem, Weaverville, Rutherford and several other towns are in the list and several of the bids are given in more than one form.

It goes without saying that Charlotte is a strong contender. Three excellent bids have been submitted from this city, one the by Stephens Company, another by the Chatham Company and a third by the Elizabeth Realty Company. Winston-Salem is said to have offered a site and also \$50,000 in cash. Statesville has made a strong bid and so also has Taylorsville. The people of the Rutherford community are very anxious to hold the college and so have made a strong proposition.

There has been much talk recently of merging Rutherford and Weaverville colleges, both of which are under the direction of the Western North Carolina Conference, and locating them at some strategic center. One proposition calls for the placing of the merged institution at Weaverville, another at Statesville at Charlotte and at Taylorsville, to say nothing of Rutherford.

The action of this board which met in the city yesterday is simply advisory, the conference having the final word. There will be another meeting held within the next month or six weeks.

## A Good Citizen Passes.

J. K. Stacy, of Nebo, one of McDowell county's best citizens, died Tuesday night of this week of bronchial pneumonia. Mr. Stacy had been sick for only a short time and his death was a shock to his family and many friends. In his death the county has lost a valuable citizen, and Nebo High School one of its strongest supporters. He has been a member of the school board since the organization of the school district in 1903. The sympathy of his many friends at Nebo and throughout the county go out to the family in this their saddest bereavement.

Mr. Stacy was about 55 years old and a wife and seven children survive.

## Roosevelt is a Candidate.

New York, Feb. 25 — "I will accept the nomination for president if it is tendered me, and I will adhere to this decision until the convention has expressed its preference," is Col. Theodore Roosevelt's reply to the letter of seven republican governors asking him to stand for nomination.

The eagerly awaited reply was given out tonight at Colonel Roosevelt's offices here during his absence on a trip to Boston. It was unexpectedly brief but definite. It follows:

ROOSEVELT'S ANSWER.

"New York, February 24, 1912. Gentlemen:

"I deeply appreciate your letter and I realize to the full the heavy responsibility it puts upon me, expressing as it does the carefully considered convictions of the men elected by popular vote to stand as the heads of government in their several states.

"I absolutely agree with you that this matter is not one to be decided with any reference to the personal preference or interests of any man, but purely from the standpoint of the interests of the people as a whole. I will accept the nomination for president if it is tendered to me, and I will adhere to this decision until the convention has expressed its preference. One of the chief principles for which I have stood and for which I now stand, and which I have always endeavored and always shall endeavor to reduce to action is the genuine rule of the people; and therefore I hope that so far as possible the people may be given the chance, through direct primaries, to express their preference as to who shall be the nominee of the republican presidential convention.

"Very truly yours,  
"THEODORE ROOSEVELT."

## Defamation and Slander Charged.

Alleging that he was defamed and slander and that he lost his position as station agent for the C. C. & O. railway as a result, W. C. Wood through his attorneys, Jones & Jones and Fortune & Roberts, has instituted suits against W. M. Netherland and E. M. Hampton.

In the affidavit directed against Netherland, it is stated that while the affiant was station agent at Hunteale the defendant circulated reports to the effect that he was dishonest. It is alleged that malice said to be exhibited was the result of the plaintiff's refusal to grant the defendant's corporation special concessions in the shipment of freight.

It is set out in the affidavit in the case against Hampton that the latter was agent of the Keys-Walker Lumber company and that he slandered and defamed him.

It is alleged that the plaintiff lost his position because of the activities of the defendants.

## Entertainment Postponed.

Owing to the inclemency of the weather the entertainment at Dysartville High School has been postponed until Saturday night, March 2. In the meantime the program is being rehearsed and improved upon. The public is cordially invited.

## SOLICITORS ON SALARY

Bills Will be Submitted for Changes in the Judicial System at Next Legislature.

Raleigh, Feb. 24. — Chairman C. W. Tillett of Charlotte, A. W. McLean of Lumberton, and Harry Skinner of Greenville, members of a special committee from the North Carolina Bar Association, conferred here today for rounding up their report on changes in the judiciary system of the state, that the next legislature will be asked to put through by the association. The committee definitely determined to prepare bills creating three judicial circuits of eight districts each, instead of the present sixteen district arrangement without circuit division and a bill for putting all the solicitors of the state on salaries these most probably to be graduated on the basis of the volume of work. Also the matter of the assigning of various counties to specific districts in the redistricting proposed will be left to the legislature without recommendation from the Bar Association committee. Also there will be bills changing the practice in the courts, especially so that the bill of complaint in a civil action must be served with the summons.

The committee intends to get the bills for these and other changes perfected within sixty days before the state Bar Association is to meet at Morehead in June and get copies of them in the hands of all the lawyers in the state so that they can make a study of their features and be prepared to act on final adoption at the meeting of the association. After they have been adopted by the association there will be a strong legislative committee on hand in Raleigh during the 1913 legislature to get the measures enacted into law.

## Tourists Hotel for Shelby.

Shelby, Feb. 23. — At a joint meeting of the members of the Cleveland Commercial Club and the merchants' association last night, \$15,000 was pledged toward the erection of a tourist hotel at some desirable place on the court square as a summer and winter resort. The movement struck such popular favor that even more than this amount can be raised, and a committee, composed of Dr. S. S. Royter, L. P. Holland and C. T. Hord, will canvas the town tomorrow. Most of the money was pledged by the merchants.

## Will Probe "Money Trust."

Washington, Feb. 24. — Resolutions calling for investigation by the house committee on banking currency of the so called "Money Trust," were passed by the house this afternoon by a vote of 170 to 8.

While the Republican, regulars and insurgents, protested that the inquiry as proposed was a "shame" and "delusion," they joined the Democratic forces in the support of the compromise money trust resolutions and succeeded in securing all but eight Republican votes for its support.

Some folks forge ahead and some forge themselves into the penitentiary.