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CRIMINAL TERM SUPERIOR COURT OPENED TUESDAY

True Bill Found Against Lee Flynn; W. H. Hennessee, Jr., Foreman Grand Jury.

The January term of Superior Court convened Tuesday morning for a five-day criminal session with Judge Frank Armstrong, of Troy, presiding, and Solicitor Clarence Ridings, of Forest City, prosecuting. After the Grand Jury was impaneled, Judge Armstrong made a twenty-minute charge to the members and impressed upon them their duty as jurors. He reviewed the steps in a trial and emphasized that it was the trial jury's duties to pass upon the guilt or innocence of a defendant and not the Grand Jury's duties. After informing them of their duties in the inspection of prison camps, county home, apartments of prisoners, he concluded with the procedure they should follow in finding true bills of indictments. W. H. Hennessee, Jr., is foreman of the Grand Jury.

The Grand Jury returned a true bill against Lee Flynn charged with the murder of his wife October 9, and the case came up for trial Wednesday. Flynn, being without counsel, the court appointed D. F. Giles to defend him.

Minor cases which were tried on Tuesday included the following:

Leslie Pressley, charged with violating the prohibition law was given 10 months on one count and two years on the second count.

Kenneth Pressley plead guilty to peeping, transporting liquor and destroying public property. He was given 60 days on the first charge, 30 days on the second and 12 months on the third charge.

Carrie McCurry was found guilty of larceny and will be placed on probation.

Henry McClellan was sentenced to 12 months on the road for larceny of coal from the Southern Railroad Company. The court recommended parole after six months serving.

"Toad" Murphy pleaded nolo contendere to a charge of assault with a deadly weapon and was sentenced to 90 days on the road.

Charles Robinson and James Bozeman, charged with breaking and entering, were each sentenced to the state prison for not less than 7 nor more than 10 years on the first charge and from 4 to 10 years on the second count.

Joe Fisher and Eugene Bird, charged with breaking and entering, larceny and receiving, were each given from one to five years on the first count and not less than five years on the second count.

DISTRICT MEETING OF OIL MEN HERE JAN. 10

A district meeting of the North Carolina Petroleum Industries committee will be held in Marion next Wednesday. Oil men from McDowell and thirteen nearby counties will attend the meeting.

The meeting, which will be held in the Community building, includes the counties of McDowell, Ashe, Watauga, Avery, Caldwell, Burke, Cleveland, Mitchell, Yancey, Buncombe, Henderson, Polk, andutherford. In addition to oil company agents, distributors and service station operators, members of allied organizations interested in highway transportation will attend and participate in the program.

A 10:30 a. m. meeting for the purpose of general discussions of the problems of taxation, diversion of highway funds and other legislative matter affecting highway users, will be followed by a luncheon at which Mr. Lee will speak.

The Marion meeting is the second of a series of ten district meetings being held throughout the state during January and February.

S. H. YANCEY NAMED CENSUS ENUMERATOR

S. H. Yancey has been appointed enumerator for taking business and manufacturing census for McDowell county.



HEADS COMMITTEE — Robert W. Proctor, above, attorney of Marion, was named chairman of the McDowell county Democratic executive committee at a special meeting held here Saturday. He succeeds Albert Blanton, who resigned because his position with the state highway safety division requires him to be away from McDowell county much of the time. Mrs. John Poteat, vice-chairman, presided at the meeting and C. W. Wilson acted as secretary. Plans were discussed for sending delegates to the Jackson Day dinner in Raleigh on January 8.

NEW OFFICERS KIWANIS CLUB TAKE OVER DUTIES; COMMITTEES ANNOUNCED

The new officers of the Kiwanis club took over their new duties on Tuesday night in their first meeting of the New Year. Cecil Dobson presided.

The meeting was well attended and three new members were admitted to the club: Robt. W. Proctor, A. S. Bradford and J. N. Morris.

Kiwanian J. G. Beaman presented the new Kiwanians with buttons and extended the right hand of fellowship to each individual member as they received the charge of Kiwanis.

After a short business session, the meeting was turned over to Garfield Beaman, program chairman for the month. Mr. Beaman conducted the program on Kiwanis Education, listing the objectives of Kiwanis and naming the committee chairmen for the year. He also pointed out the respective duty of each committee.

Committee chairmen appointed for 1940 are as follows: Publicity, Norman Kinzie; House and Reception, S. J. Westmoreland; Agriculture, S. L. Homewood; Kiwanis Education, J. G. Beaman; Public Affairs, Hugh Beam; Laws and Regulations, H. D. Bishop; Boys and Girls Work, Dr. McIntosh; Attendance, J. D. Henry; Standards, B. A. Dickson; Finance and Classification, J. B. Laughlin; Inter-club Relations, Barron Caldwell; Membership, W. S. Shiflet; Music, A. S. Bradford; Program, Lee Conley; Reception, A. H. Mitchem; Underprivileged Children, Norman Kinzie; Vocational Guidance, Dr. Carl McMurray.

FUNERAL HOME DRESSES UP FOR THE NEW YEAR

Two weeks' work was necessary for the interior decorating of the Westmoreland Funeral Home on West Court street, costing approximately \$300 including the woodwork and painting.

Two display rooms and funeral parlors, both private of the other, have been arranged. Deep colored maroon draperies add attraction and dignity to the parlors which are lighted by large floor lamps. Private entrance to each funeral parlor will be another advantage made possible by the recent work.

In the main living room at one end of which is located the main office, the door has been cut away making a spacious and more elaborate office. Also the floor was raised to the same level of the living room. Heavy draperies blending with the maroon paint for the doors, hang from each side of the entrance to the office.

Mr. Westmoreland said that further improvements would be made in the spring.

MASONIC MEETING

There will be a regular communication of Mystic Tie Lodge Friday night, Jan. 5, at 7:30 o'clock. New officers will be installed and refreshments will be served.

STATE ALLOTTED \$3,775,397 BY FWA NEXT YEAR

Funds Will Be Used For Improvement Of Secondary Roads and Highways.

Washington, Dec. 30. — North Carolina will have \$3,775,397 to spend on roads and highways for the fiscal year beginning July 1, next.

South Carolina was apportioned \$2,172,330 which was allocated as follows: Regular federal aid, \$1,528,126; secondary or feeder roads, \$199,321, and \$444,883 to be spent for the elimination of grade crossings.

This sum was allotted to the Tar Heel state today by John M. Carmody, head of the new Federal Works administration. Of the sum given to North Carolina, \$2,672,689 is regular federal aid, which must be matched by the state on a 50-50 basis. The sum of \$348,612 is an allocation for secondary or feeder roads, while \$754,096 is for elimination of grade crossings.

The apportionment was authorized by the act of June 8, 1938, which provided \$113,000,000 for improvement of the federal aid system and its extension through cities, \$15,000,000 for improvement of secondary or feeder roads and \$30,000,000 for elimination of hazards at railroad grade crossings.

The highway funds were apportioned among states in proportion to population, area, and mileage of rural post roads. Grade crossing funds were apportioned, one-half on the basis of population, one-fourth on the basis of mileage of the federal aid system, and one-fourth according to railroad mileage. It is provided that no state shall receive less than one-half of one per cent of an apportionment.

Expenditure will be under the supervision of the public roads administration of the federal works agency and in accordance with the federal aid plan that has been in operation since 1916. The initiative in selection of projects rests with the state highway departments which also prepare plans, let contracts, and supervise construction, all subject to federal approval.

9,786 Miles Improved

These funds, Mr. Carmody said in announcing the allocations, make possible a continuation of the federal aid program on substantially the same scale as in the past fiscal year. In that year the work in cooperation with state highway departments resulted in the improvement of 9,786 miles on rural portions of the federal aid system, 2,971 miles on the secondary or farm-to-market systems, and 725 miles were improved in municipalities.

SOUTHERN FREIGHT DEPOT DOES A HALF MILLION DOLLAR BUSINESS IN '39

The Southern Railway freight office in Marion did over a half-million dollar business in 1939, a 25% increase over 1938, according to figures released by G. W. Sandlin, agent.

A total of \$542,912.47 was taken in through the year and \$50,000 more represented income from express alone. Mr. Sandlin expressed his belief that 1940 would hold a still greater increase due to the European war situation, since shipments of all kinds, including iron, had increased considerably since the outbreak of hostilities in the fall.

MRS. W. T. MILLER WINS FIRST PRIZE IN CONTEST

It was learned here yesterday that Mrs. W. T. Miller, of Marion, Route 1, won first prize, \$5, for her exhibit jars in the McDowell county contest held here in September. The contest was sponsored by the Ball Brothers Company of Muncie, Ind., of which Miss Gladys Kimbrough was director. Other prizes won by McDowell county women were Mrs. Watson Wilson of Nebo, second place, \$3, and Mrs. G. C. Crawford, of Pleasant Gardens, won the third place and received \$2.

SECURITY BOARD STARTS PAYING BENEFITS IN '40

Social Insurance to Families To Mean Payments Up To \$50 or \$60 a Month.

Washington, Jan. 2. — The Social Security board estimated that 900,000 men, women and children would share in the more than \$100,000,000 to be distributed this year under the revised social security law.

The first checks, Chairman Arthur J. Altmeyer said, will go out February 1, representing payments for January to retired elderly workers and their families.

In a radio interview, Altmeyer said that the new social insurance program should make possible monthly benefits to a family ranging up to \$50 or \$60. That, combined with the savings and other small income, should be sufficient to hold a family together, allow it to lead a "normal, self-reliant life," and keep off the relief rolls, he added.

Tax Rate Unchanged

To back up its old age pension checks, the government has \$1,400,000,000, collected by levies on payrolls. The original law would have boosted the rate of these taxes from one per cent to one and one-half per cent beginning January 1, but at its last regular session, Congress revised the law to "freeze" the rate at the one per cent level until 1943.

Senator McNary of Oregon, Republican leader in the Senate, said in a statement tonight that while both major parties supported the broad social security program the amendments to the financing provisions should be credited to the "effort and agitation by the Republican minority" of Congress.

"Were it not for these amendments, some 40,000,000 workers and their employers each would have been subjected to a 50 per cent increase in old-age payroll taxes," he asserted.

He estimated the workers and employers would be saved \$875,000,000 in the next three years as a result of the amendments.

\$25 a Month Pensions

The board estimated that old-age pensions for single workers would average \$26 a month and for married couples, \$39.

The first crop of beneficiaries will include a class of older workers once regarded as born too soon to reap the benefits of social security. They reached and passed the 65 mark in the early years of the system and at that time the statute limited the accumulation of wage credits to workers who had not passed 65.

Congress, however, took off the limitations against the securing of wage credits over 65 last summer and reopened the social security system to this group of oldsters estimated at 178,000.

An analysis by the board of the first 1,948 claims filed showed that in a large proportion of cases the wives of retiring workers were too young to become eligible for benefits.

Wives and widows, except young widows with children, must be 65 or older to qualify for supplemental benefits, and in the first batch of claims, only 185 workers had wives 65 or over. There were 652 wives between 60 and 65 and 500 under 60.

GOLDEN GLOVES FIGHTS HELD JAN. 18, 19, AND 20

The second annual Golden Gloves Boxing Tournament, sponsored by the Francis Marion club, will be held in the high school auditorium January 18, 19, and 20.

The fights will be conducted under the sanction of the Carolina Association of the A. A. U. and the tournament will conduct Open Class competition for white amateurs, sixteen years of age or over, in good standing, without restriction and who reside in this state.

The Hawkins building has been secured for a temporary training quarters for the entrants. Clarence Rabb is in charge of issuing the application blanks.

LOWEST TEMPERATURE OF WINTER RECORDED HERE TUESDAY NIGHT

The lowest temperature of the year was recorded Tuesday night or Wednesday morning by C. A. Nichols at the city hall when the thermometer showed a low of 8 degrees. Tuesday was considered one of the coldest days of the winter.

MARION TO BE ON NEW ROUTE N. C. 26 FROM S. C. TO TENN. LINE

The Highway Commission approved December 8 a through route from the intersection on U. S. 221 near Woodlawn to Grover, via Marion and Shelby, eliminating route N. C. 190.

The through route will come through Marion to Spruce Pine, Bakersville, and Johnson City, Tenn. N. C. 26 runs from South Carolina to the Tennessee line, and although the highway has been in service for some time, the through route has just been approved and will probably lead to improvement soon.

From the office of the Blue Ridge Parkway, 1939 statistics indicate that a total of 290,000 visitors were at the Parkway last year and 147,000 visitors in 38,000 cars were counted. 43,000 automobiles carried 130,000 persons along the scenic drive in North Carolina from the state line south to Boone, while a total of 5,500 more were counted on other portions of the Parkway.

In North Carolina paving operations were underway until late August, limiting the use of the Parkway. Eight of every ten cars visiting the Parkway bore either North Carolina or Virginia license tags. The record traffic for any given day occurred during the Asheville Rhododendron Festival when 2,400 traveled to the Craggy Gardens in the height of their bloom on June 25.

Satisfactory progress has also been reported on the 50-mile section in North Carolina between Grandfather Mountain and Toe River Gap near Mount Mitchell. The Linville River bridge is rapidly nearing completion and the tunnel between Little Switzerland and Buck Creek Gap is finished so that it will soon be possible to drive through from Grandfather Mountain to Toe River Gap on finished parkway grade with a crushed stone base. The three bridges overpassing state highways at Linville Falls, Gillespie Gap, and at Little Switzerland are in various stages of construction and short detours are necessary.

The year 1939 was the busiest construction year the Parkway has ever had, 275 miles of parkway undergoing treatment and 1940 is expected to yield still greater improvement.

MEMORIAL SERVICE IS HELD FOR W. T. MORGAN DURING SUPERIOR COURT

The Superior Court paused at 4 o'clock Tuesday afternoon for a memorial service to William Theodore Morgan, deceased member of the Marion Bar Association. Robert W. Proctor presided, and the resolutions of respect were read by Paul Story. W. R. Chambers read a paper on Mr. Morgan, both as a lawyer and as a man.

Judge Will Pless, Jr., spoke of his personal association with Mr. Morgan, followed by Roy Davis who told of the high ideals and the zeal possessed by Mr. Morgan and of the wonderful counsel given to the younger members of the McDowell bar.

C. C. Lisenbee spoke of his association with the deceased, beginning in 1896, when Mr. Morgan was in the employ of the U. S. Government and of his never failing custom to serve his fellow man. Mr. Lisenbee was followed by D. F. Giles who reviewed the pioneer work for good roads and all other public causes which Mr. Morgan represented, and of the loss the county sustained in his passing.

Fred Washburn spoke of Mr. Morgan's modesty concerning his ability as one of the outstanding lawyers of the state and Robert Proctor closed the service with a tribute to the ability and many fine qualities of the man both as a personal adviser and as a trial lawyer who had the courage of his convictions.

HOEY ENDORSES 'PROGRESS' PLAN FOR THE SOUTH

Hoey Asks Tar Heels to Back Southern Governors' Program For Decade.

Raleigh, Jan. 1.—Governor Hoey urged North Carolinians today to strive to make 1940-1950 a "decade of progress," and endorsed a 10-point program for advancement which was drafted for the Southern Governors' conference.

In a formal proclamation, Governor Hoey described the program as a "great forward movement," and said North Carolina should "take the lead of the Southern States in this carefully planned program for a consistent and sustained prosperity."

The proclamation follows: "In harmony with the general appeal of the Southern Governors' conference for the adoption by the Southern States of a program for a decade of progress from 1940 to 1950, inclusive, covering the whole field of agricultural achievement, I wish to call upon the whole people of North Carolina to join heartily in this great forward movement."

"This appeal by the governors and agricultural leaders appeared in Sunday's daily papers and it was based upon 'the great traditions of our region, the deep needs of our people and the opportunities of our times.'"

"I present herewith with my specific approval and recommendation, a resume of the plan to balance:

- "1. Money crops, including forestry, with food, feed, and fertility crops.
- "2. All crops with livestock, consistent with sound land use.
- "3. Production progress with marketing and transportation opportunity free of trade barriers.
- "4. Farms with factories.
- "5. Land, water, and mineral resources with population needs.
- "6. Work with thrift and local investments.
- "7. Owner prosperity with worker prosperity.
- "8. Increasing income with increasing home ownership.
- "9. Wealth with beauty and culture.
- "10. Economic gain with advances in moral values and human welfare.

"North Carolina is a great agricultural state. It has developed rapidly as an industrial state. There is already a fine balance between agriculture and industry. We now wish to still further balance each with itself. Our state should take the lead of the Southern States in this carefully planned program for a consistent and sustained prosperity over a period of years.

"Every citizen should be intensely interested in furthering this cause by giving united and enthusiastic co-operation, and supporting every practical effort to accomplish the desired results."

DELAY OPENING OF CITY AND COUNTY SCHOOLS TILL JAN. 8

The opening of schools in Marion City Unit as well as the county schools for both white and colored, will be postponed until January 8, according to an official announcement from N. F. Steppe, Chairman of the Board of Education, when it was reported from the Welfare Department and local physicians that the flu epidemic was too widespread in the county.

Although the influenza situation is not considered serious because of the comparative mildness of the attacks, numerous cases have been reported in this county and it was decided advisable to postpone the re-opening of the schools as a precautionary measure.

It has been estimated that there are approximately 150 cases of influenza in the corporate limits of Marion and about 500 cases over the entire county. However, the schools will open unless the epidemic spreads considerably. The county schools were scheduled to open January 2, and the city schools January 1.

Seven states have no capital punishment.