

# Jackson County Journal.

VOL. I NO. 7

SYLVA, N. C., DECEMBER 17 1915.

\$1.00 THE YEAR IN ADVANCE

## MAINTENANCE OF ROADS

The maintenance of our public roads is not only a serious question in North Carolina but other states are confronted with the same problem and are trying to solve it. In West Virginia, lumber wagons have been doing a great deal of damage to the public roads and the county engineers are now putting in force an act recently passed at the extraordinary session of the last legislature, which is as follows:

"Section 8, Chapter 8, of the acts of the legislature of this state, enacted in the second extraordinary session of 1915: Where it is required that persons, firms, etc., making continuous use of any piece of the county road, or driving thereon any wagon, etc., and by such use are causing more than the usual wear, such persons, etc., may be compelled to put thereon a section man or men and keep or assist in keeping said road in such repair as the court may order.

"Any person disobeying or refusing such orders shall be adjudged guilty of a misdemeanor, and upon conviction thereof fined not to exceed \$50, or imprisonment, or both."

This act of the West Virginia legislature is a move in the right direction, but I am still of the opinion that the "Wheel Tax" method of furnishing a maintenance fund and of controlling the damage that vehicles do to roads, is by far the most practical and effective one.

We tax all the people of the counties for the construction of roads but it is the users of the roads that should pay the greater part of the cost of the maintenance of these roads and this will be accomplished by the "wheel tax," all the revenue therefrom being used for road maintenance and for no other purpose.

Vehicles will pay a "wheel tax" according to the amount of damage that said vehicles can do to the road. Thus a wagon capable of carrying 4000 pounds and with wheels having tires "2 to 2 1/2" in width would pay a much greater tax than the same capacity wagon whose wheels have tires "6" wide. Then again, if the front wheel of such a wagon did not have the same tread as the rear wheels, the tax would be still lower. The heavier the load the wagon will hold, the higher in proportion, will be the "wheel tax," and the wider the tire, the "wheel tax" will be proportionately lower. With automobiles the horsepower and weight of machine will determine the wheel tax.

An equitable scale of the wheel tax can be devised which will not work a hardship on any one and the revenue derived from it will maintain the roads.

JOSEPH PYDE PRATT, Secretary,  
State Highway Commission.

## NOTICE

The first Quarterly Conference for Sylva and Dillsboro will be held at Dillsboro Sunday night Dec. 19th 7:30 P. M. and Monday morning 9:30 A. M. By consent of the presiding Elder the change was made from Sylva to Dillsboro.

G. H. Cristenberry pastor.

## JESSE UPTON AND PORTER CRISP CASES BEFORE SUPREME COURT

Raleigh, Dec. 15. "Your client seems to be trying to thin the population out" Chief Justice Clerk said yesterday when attorneys for Jesse Upton began to argue his appeal from a manslaughter sentence of four years.

The twentieth district was up. It was the last of the appeals and three capital cases, none convictions of murder in the first degree, however were being presented. The remark was generally relevant but specifically so in the light of Mr. Upton's wide use of the gun. He shot his father-in-law. What he was doing for the laws was a good deal.

Upton's attorneys plead former jeopardy. When the prisoner was put on trial and after the preliminaries began, attorneys saw a juror in the box who was known to have been summoned from another county. Fearing that the raising of this question would invalidate the trial, that it was plainly illegal, the state and private prosecution asked the withdrawal of that juror. It was agreed, the proceedings up to that time thrown out and a new start taken. Thomas S. Rollins arguing the case for the state, contended that all of this was done by agreement of counsel and that everybody was satisfied. But after conviction attorneys for the defense raised the question of former jeopardy and the issue was argued.

Porter Crisp's case was presented in an appeal from a conviction of manslaughter.

Crisp and the deceased Buckhannon fought over a game of poker in which Crisp laid his money down and told the dead man to take it. Crisp had laid down his pistol in the presence of other players. The testimony was not agreed upon but he showed that the deceased jumped either at him or for his pistol. In the struggle Buckhannon was killed.

The defense appeals on the ground of the elements of justifiable homicide.

## CHRISTENBERRY-FOGLEMAN

A marriage of more than local interest was that of Rev. G. H. Christenberry and Miss Fannie Fogleman, which occurred yesterday afternoon at 3 o'clock at the Central Methodist parsonage, Rev. J. H. Barnhardt, pastor of the Central church, officiating. There were only a few of the close friends of the contracting parties present, among whom were the bride's brother, Mr. P. A. Fogleman, of Danville, Va. and Miss C. E. Dameron of the same city. Mr. Christenberry is the newly appointed pastor of the Methodist church at Sylva. He once held a pastorate at Biltmore and has numerous friends in and around Asheville who will be interested to learn of his marriage. He is a member of the Western North Carolina conference and is regarded as a strong preacher and splendid pastor. Miss Fogleman is a native of Randolph county, this state. Rev. and Mrs. Christenberry will be at home in Sylva after a short honeymoon spent in and around Asheville.—Citizen.

## GALLOWAY SAYS HE IS READY TO WORK.

Deputy Collector of Internal Revenue J. A. Galloway yesterday visited friends at headquarters of the raiding force and the marshal's office here for the first time since he was seriously wounded on Thanksgiving day by alleged blockade. Mr. Galloway declared that he felt as well as he ever did in his life and that he is anxious to again take up the work of mountain climbing in pursuit of those who manufacture alcoholic liquors contrary to the provisions of the federal statutes. The officer hopes to take up the trail again on December 20.

Mr. Galloway's physician does not encourage him to resume his activities in the woods now that he has only one eye to guide him to the haunts of the moonshiner but the raider believes that he is as fit as ever.

The doctor stated yesterday that an x-ray examination was necessary to locate the No. 4 shot that penetrated Galloway's head, passing through the optic nerve of the left eye, lodging behind the nose.—Gazette.

## The Birds' Plea

Dear kiddies, Christmas will soon be here.  
The happiest time of all the year.  
While you are enjoying your Christmas toys  
And your little hearts filled with Christmas joys,  
Please think of the wee birds out in the snow,  
Where cruel winds whistle and fiercely blow.  
Our home is the air; our roof is the sky;  
When we've nothing to eat we freeze and die.  
Dear kiddies, you live in houses so warm,  
Sheltered from cold and the blinding storm.  
You'll have "merry Christmas" and plenty to eat.  
Oh, please give your little bird friends a treat!  
We're so hungry. Dear little kiddies, please  
Hang us some Christmas out on the trees.  
YOUR LITTLE BIRD FRIENDS.

## Old fashioned Christmas.

The backlog's flame has died away;  
The embers into ashes drift.  
Outside the snows are eddying, gray,  
And piling fast in many a rift.  
White robed is now the cedar tree  
Where once the catbird nightly sang,  
And from the eaves by two and three  
The icicles like arrows hang.

The shadows on the somber wall  
Flit, cross and dance amid the gloom,  
And streaks of ghostly color fall  
In changing hues about the room.  
The spiders in the corners dim  
Within their webs the closer cling,  
And from the mantel's oaken rim  
A pair of children's stockings swing.

Far field and forest, lane and road  
Fast and still faster swirl the snows,  
And in the barn loft snugly stowed  
A drowsy rooster wakes and crows.  
The clock strikes twelve, and midnight wanes,  
While winter skies stretch cold and drear.

Frost flowers blossom on the panes,  
The snows float by and disappear.

And then across the roof-tree swells,  
Borne by the winds that fall and rise,  
A sound of many hurrying bells,  
A sound that ebbs and peals and dies.  
And next adown the chimney creeps  
The children's saint, in all the lands,  
And, true to all the trusts he keeps,  
White bearded on the hearthstone stands.  
—Ernest McGaffey in Ladies' Home Companion.

The Supreme Gift.  
Fear not, my friend, giving more than your due;  
Remember the gift presented to you  
In the long ago and try to be true  
When Christmas comes.  
—William Lytle.

## EMERGENCY TAX TO BE CONTINUED, FORECAST

Washington, Dec. 15.—With the introduction in the house of the resolution to continue in effect the present emergency tax which expires by limitation on December 31, for another year, the first step was taken to carry out the action of the caucus of the house democrats Monday night.

When the house met today after four days of recess, Representative Kitchin majority leader, was ready to offer the resolution. A vote will probably be reached by Thursday. Its passage by both houses not later than Saturday, when congress plans adjournment for the holidays was predicted today.—Gazette.

## SPEEDWELL.

The writer had the pleasure a few days ago, of taking a drink of water out of a spring on top of Blue Ridge between Hamburg and Cashiers. This spring is famous to me, from the fact, that part of the water runs south into the Atlantic ocean, and part runs north, through the Tuckaseegee, Tenn., Ohio, Mississippi and into the Gulf of Mexico. The south branch of this spring runs between the great Chimney Top and White Side mountains, and the north branch comes over the Tuckaseegee falls. Chimney Top, White Side, Shortoff, and Yellow Mountain are grand old mountains. They stand head and shoulders above all the surrounding mountains, and it looked to me as if nature had experimented in making all her rest before these were formed. On the north side of the White Side mountain is the Devils Court House. The writer when a boy thought that this was the place where the Devil held his courts, but alas! it is only a gorge filled with caves and beautiful scenery, the home of the wild cat and bear. In case the state should add these majestic mountains to its domain, this would be a good place to test the titles. The government no doubt will take this section as a part of its national reserve.

Messrs. R. J. Crawford, John B. Miller and Rev. R. L. Cook spent a night with the writer on their way to Sapphire bear hunting. As they came up Cullowhee their dogs tried to attack an automobile and if the dogs had not been tied they would have tried to put the automobile up a tree. I imagine that these six dogs will give a bear all kinds of amusement, from a foot race, to a fight, and from a fight to tall timber.

Rev. J. L. Teague was in Speedwell Monday arranging for his appointments.

J. M. Rigdon of Tuckaseegee visited Speedwell one day last week.

Deputy Marshal Roane was in Speedwell one day last week.

Rev. W. T. Potts and wife of Highlands passed through Speedwell Sunday afternoon.

J. H. Matthis and Manley Brown of Canada visited Speedwell a few days ago.

Born to Mr. and Mrs. A. S. Abernethy a girl.

## U. S. TO CONDEMN MACON CO. LANDS

The federal government has instituted condemnation proceedings against A. J. Griset of Rabun Gap, Ga., and others in Macon county, N. C., Georgia and Washington state who hold or are supposed to have some title of tracts of timber land in Macon county desired by the United States as part of the forest reserve. The various tracts total 651 and a fraction acres.

The defendants, numbering about 100, are notified to appear in the District court at Asheville on January 15, 1916, to defend their claims. As appraisal commission will be appointed to place a value on the land and all lawful claimants will be compensated.

Most of the large boundaries acquired in this territory by the Forest Reserve commission have already been passed upon by the Geological survey and the title has become vested in the Uncle Sam. There still remain numerous scattered tracts like those mentioned above.

The papers in the case were forwarded from the office of United States Attorney W. C. Hammer to United States Court Clerk W. S. Hyams.—Gazette.

## SNOW DOES DAMAGE.

The first snow to fall this winter fell last Saturday, to the depth here of about five inches and back in the mountains many places to the depth of eight inches.

The snow in and around town did considerable damage to the telephone and electric wire. The wires being broken by the weight of the snow, and quite a number of the poles falling.

Mr. Swift, manager of the telephone service here has had men working every day and they have not got all the lines straightened out yet.

## CHRISTMAS HOLIDAY EXCURSION FARES

SOUTHERN RAILWAY  
Premier Carrier of the South

Round trip tickets will be sold December 17th to 25th, inclusive, 1915, with final limit to reach original starting point prior to midnight January 10th, 1916.

For further information and Pullman accommodations call on your local agent, or address the undersigned.

W. V. Dorsey,  
Agent, Sylva, N. C.  
J. H. Wood, Div. Pass. Agent,  
Asheville, N. C.

Luther Snyder of ... in the city Thursday ...

Mack Press ... was in the city ...

Ed ... county farm ...

you ... to the ...

See ... Tax ... else where ...

The ... Church ... Player ...

Plan ... the ... more goes to the ...

... 18, ...

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