

# The Jackson County Journal

\$1.50 the Year in Advance in County

Sylva, N. C. Thursday, October 13, 1927

\$2.00 the Year in Advance Outside County

## BREEDLOVE-BRYSON CASE IS MOVED

The cases against Walker Breedlove and J. M. Bryson, in which they are charged with shooting each other, at Glenville at the election, last year, were moved to Macon County by order of Judge Harding, Monday afternoon, and set for trial on the first day of the November court of Macon, which comes on the twenty-first, with Judge Harding on the bench.

The case is said to have arisen over the casting of absentee ballots when Breedlove was registrar and Bryson the republican judge of the election.

It was called up in court, Monday, when Col. Franklin Watson of Burnsville, representing Mr. Breedlove, made a motion that a jury be drawn from another county for the trial of the case, at this term of Jackson county court. Col. Watson read an affidavit made by Breedlove, in which it was protested that the affiant, Breedlove, is a Democrat and was registrar at the election in Hamburg township, and that Mr. Bryson was republican judge of the election. Breedlove asserted in his affidavit that Bryson raised a dispute over the casting of an absentee ballot, and that Bryson fired upon him. The affidavit affirmed that the republican party prevailed in the election, and that all the officers of Jackson county are now Republicans, and that of the 54 jurors summoned for this term of court from all sections of Jackson county, only 7 are Democrats and that of the 7 part of them affiliating with the republicans in some elections. The affidavit went on to say that political feeling runs high in this county and that the affiant Breedlove, could not get a fair and impartial trial before a jury of Jackson County at the present term of court.

With this affidavit as his basis, Col. Watson pleaded for an order to be made drawing a jury from another county.

Judge D. Bryson, attorney for Bryson, opposed the motion for either removal of or drawing a jury from another county, stating that the affidavit was insufficient, and that if the Judge should draw the conclusion that a great preponderance of jurors of the republican party were drawn purposely that it would be a direct charge of moral turpitude against the county commissioners; and that he believed a fair trial could be had in this county. He stated that of the jury list he held in his hand, containing 36 names, that 17 of them appeared to be democrats.

Felix E. Alley, also appearing for Breedlove insisted that a jury should be drawn from another county, stating that he believed it to be unfair to both the defendants, to the state, and to a jury that might be drawn in this county, for it to be tried before Jackson county jurors. He stated that if the political faith of the jurors was by accident or inadvertence that it would still be unfair to try the case before a Jackson county jury.

Col. Watson stated that all he or his client wanted was a fair trial for Breedlove, Bryson and the state, and that he wanted to go further than that, and wanted the people

## DEATH OF MRS. NORTON

Mrs. Alice J. Zachary, wife of B. Norton, and widow of Dr. James M. Zachary was born Aug. 14, 1861 and departed this life October 5th, 1927—age sixty six years, one month and twenty one days.

She gave her heart to God in early life and joined the church in which she remained a loyal and active member until her death.

Mrs. Norton was twice married. Her first husband was Dr. J. M. Zachary and to this union were born ten girls, seven of whom are still living. They are Mrs. O. B. Coward, Webster, N. C.; Dr. Daisy McGuire, Sylva, N. C.; Mrs. Kitty Stevens, Pendleton, S. C.; Mrs. R. D. McCurry, Biltmore, N. C.; Mrs. K. E. Bennett, Bryson City, N. C.; Mrs. J. R. Cochran, Norton, N. C.; and Dr. Jessie Zachary, Raleigh, N. C.; She had an adopted son, Ed Zachary who lives in Denver Colorado.

She leaves two sisters and six brothers. They are Mrs. T. L. Green, Waynesville; Mrs. Luxie Medford, Clyde; Jake Rogers, Canton; Dr. McLain Rogers, Clinton Okla.; George Rogers, Clyde; Sherman Rogers, Clyde; Jim Rogers, Clyde and Rev. William Rogers, Murphy.

The funeral was conducted by Rev. W. M. Robbins, pastor of the Sylva Methodist church, assisted by Rev. Mr. Lane of the Wesleyan Methodist church and Rev. Mr. Potts of the Baptist church in the presence of a large company of sympathetic friends and loved ones. The flowers were many and beautiful, all of which be-spoke the love and high esteem in which the deceased was held.

Her body was laid to rest in the family burying ground on the hill overlooking the old homestead in which she had reared her large family of children.

The six sons-in-law of Mrs. Norton served as pall bearers.

May heaven's richest blessings come upon the children, grand children and all the loved ones, and abide until He shall say to them as he said to her, "It is enough, come up higher."

W. M. Robbins.

Two ounces of copper carbonate dust will protect a bushel of wheat seed from stinking smut.

of Jackson county to feel that there had been a fair and impartial trial of the case.

The solicitor agreed that a jury be drawn from Swain county; but Judge Bryson opposed the drawing of a jury in that manner, as it might create the impression that an injustice had been done; so Judge Harding ordered the removal of the whole matter to Macon county for trial.

## ENOS JONES CASE GOES TO JURY

The case of Enos Jones, on trial charged with the murder of Lee Conley, Negro, in the waiting room of the Dillsboro Railway station went to the jury this morning at the close of the evidence, the argument of counsel and the charge of Judge Harding.

The Grand jury, on Tuesday afternoon returned a bill charging murder in the first degree; but the solicitor at the beginning of the trial announced that he would not ask for a first degree verdict, and the jury may return one of three verdicts, murder in the second degree, manslaughter or not guilty.

While there were no eye witnesses, there is no controversy about the fact that Lee Conley was killed by a shot gun in the hands of Enos Jones. Jones contends that the shooting was accidental and the state contends that it was purposely done.

The first witness introduced by the state, Lewis Jones, an Uncle of the defendant testified that on the morning Lee was killed, Enos Jones came to him and induced him to borrow a shot gun from Walter Sutton, and to lend it to Enos, who stated that he was going after some whiskey and wanted to carry the gun with him. The witness stated that Enos got the gun and departed in the direction of the station, where the shooting occurred.

M. Y. Jarrett, Dillsboro postmaster told of Enos-Jones coming to him and getting an advance of 25c on his wages, a short time before the shooting and Guy Leatherwood swore that Enos came into his father's store and asked for some No. 3 buck shot, shot-gun shells, and on being told that there were none in the store he stated that Jones bought No. 7 bird shot, and departed in the direction of the depot, carrying the gun with him.

Dr. A. S. Nichols testified as to the nature of the wound, between the 8th and 9th ribs on the left side, which he stated ranged inward and slightly upward, and which caused the death of Conley.

Sheriff Cannon stated that Jones told him shortly after the arrest, that he shot Conley accidentally.

The defense attempted to set up a defense that Jones is subject to fits; but this was ruled out by the court, because the defendant swore on the stand that he knew what happened on this occasion, though he stated that he felt "queer" after the shooting. The defense took an exception to the ruling of the court.

Enos Jones, in his own defense testified that he and Lee had planned to go up on Long branch after some

liquor, and that he tried to pawn the shot gun to Conley to pay for his pint of liquor, and that Conley suggested that he get \$2.00 from Mr. Jarrett, and while they were discussing the matter the gun went off.

Mrs. Jones, mother of Enos, stated that he came home immediately after the shooting and told her that the gun went off and shot Lee, and that he was going back and see how badly he was hurt.

## GRAND JURY CONDEMNS COUNTY HOME

The grand jury, in its report, yesterday afternoon reported that the general conditions at the county home are poor, that one bed is inhabited by insects, that there is wheat in one room, which is infested with weevils making it unfit for flour, that the bath room needs cleaning and repairing, that the cupboard smells bad, that the sanitary condition of the dairy should be improved, that the unfinished second floor of the building is dirty, that some of the out-houses need covering and that the farm implements are left outside in the weather.

The court house and grounds are in excellent condition, according to the report of the grand jury, and their condition is commended in the highest terms; but the report goes on to say that new bedding is needed at the jail, or part of the present bedding should be cleaned; that one occupant is suffering from venereal disease and should be segregated from the other prisoners; and that heating arrangement should be made for the women's department.

Judge Harding ordered the grand jury to be discharged to come back on Thursday of next week, and directed the clerk to furnish the chairman of the board of county commissioners with a copy of the report, stating that if the recommendations in the report are not carried out by that date, that he will direct the solicitor to send a bill of indictment against the county commissioners.

The grand jury is composed of the following gentlemen: T. E. Reed, foreman; Wade Hawkins; Frank Dillard; Elihu Hawkins; E. O. Masaburn; Thad Reed; Manley Parris; Lee Barnes; C. W. Allen, Jr.; J. T. Bryson; Henry Wike; Carl Jamison; Arch McMahan; T. G. Fisher; Lloyd Keener; W. A. Henson; R. P. Sherrill; and J. V. Lovedahl.

North and South Carolina have united again. This time it is to sell their sweet potatoes.

## BETA

Rev. W. C. Reed preached a very interesting sermon Sunday, using part of the twenty first verse of the twelfth chapter of John, "We would see Jesus," in the absence of our pastor, Rev. T. F. Deitz who is conducting a revival at the Lovedale church.

Prayer meeting Wednesday night was conducted by our teachers, Mr. Garland Dillard, Misses Wild, Padgett and Mrs. Cole. They used as their subject "Sympathy." An interesting talk was made by all.

Mr. and Mrs. A. B. Dills from Sylva visited their daughter, Mrs. T. C. Bryson Friday.

Born to Mr. and Mrs. Humphrey Ensley, a son.

Mrs. W. F. Deitz from East Fork and Miss Deliah Gribble of Hiawasse, Ga., visited the parsonage Thursday.

Miss Lillian Banks spent Friday at S. C. I with her sister, Miss Theresa Banks.

Mesdames D. G. Bryson, T. C. Bryson and T. F. Deitz spent Saturday at Addie with Mrs. Robert Fisher.

Glad to report that Mrs. S. W. Ensley who has been sick at her home is improving.

Mrs. Milas Ward is spending the week with her mother, Mrs. Bishop at Cullowhee.

Mr. Frank Clouse from Canton, was here Sunday.

Mr. Glen Ward has gone to Charlotte.

Rev. W. N. Cook of Kings Mountain passed through our village Saturday morning, stopping only for a short while.

Mrs. Gordon Reed has returned after spending several days with her sister, Mrs. Charles Fowler of Asheville.

Miss Anna Mae McKenna, and Miss Laura Leverett from Sylva Collegiate Institute spent the week end with Miss Muriel Snyder of Beta.

Mr. Clinton Hooper and Miss Maud Dana Bumgarner of Speedwell were married at Beta Thursday, with Rev. Geo. C. Snyder officiating.

Mrs. C. B. Thompson, Mrs. Jennings Bryson and Mrs. Geo. C. Snyder spent the day Thursday at the home of Mrs. Snyder's parents, Mr. and Mrs. J. P. Reed.

Mr. and Mrs. W. A. Stillwell of Macon, Ga., have returned to their home after spending a few days with their daughter, Mrs. W. G. Dillard.

Mr. and Mrs. R. C. Snyder and children spent the week end at Franklin with relatives. Mr. Snyder and three older children returning Sunday while Mrs. Snyder and younger children will spend a few more days. Mrs. Snyder is also taking treatment under Dr. Lyle.

Rev. T. F. Deitz is holding a revival meeting at Lovedale, and reports a very successful one.

## JUDGMENT IN GLENN CASE CONTINUED

Prayer for judgment in the case of Raymond Glenn, charged with shooting John Nance, on the streets of Sylva, eighteen months ago, was continued for two years by Judge W. F. Harding, in superior court, Monday. Judge Harding remarked from the bench: "Mr. Solicitor, you may get some judge to pronounce judgment in this case; but you will never get this one to do it."

Raymond Glenn, young Sylva jeweler, entered plea of guilty of an assault with a deadly weapon, and this plea was accepted by the state. It developed in the state's evidence that Mr. Glenn had shot John Nance a number of times, and that the life of Nance was despaired of for several weeks after the shooting. Nance was not present at the present trial, and the case had been continued from the February term of court because of his absence at that time.

In his defense, Mr. Glenn offered testimony showing that he was a young man of excellent character, and that he had maintained a good home for his wife and two small children, that his home was invaded and his wife seduced by Nance, who was a highway contractor. Laura Norman and another negro girl swore to seeing Mrs. Glenn and Nance at the home of Harry Norman, a Negro, in a compromising position and other witnesses testified to seeing them together on numerous occasions, while Mr. Glenn was in Sylva at his work.

Then a number of letters, written to Nance by Mrs. Glenn, were presented to Judge Harding, their contents were not made public; but Judge Harding read one of them, and announced that it was sufficient for him. He then stated that it appeared the wrong man was on trial. He asserted that so far as he knew there was no criminal statute that Nance had violated; but that the legislature should make provision for such cases; but as the law stands there is little left for an injured husband to do except use a shot gun. He asserted that this in one place in which our law falls down, and that he would like to issue a bench warrant for Nance, if there were a law under which he could be tried.

The evidence showed that Mr. Glenn had learned of the state of affairs in his home, that Mrs. Glenn had returned to the home of her father in Brevard, and that Mr. Glenn had brooded over his troubles until he was in an abnormal state of mind at the time of and immediately following the shooting. Dr. D. D. Hooper, family physician of Mr. Glenn, stated this to be a fact and the opinion that he was in an abnormal condition at the time.

After the shooting Mr. Glenn instituted proceedings against his wife and obtained a divorce.

## BALSAM

Mr. Corbett Ensey spent several days last week here with his father, D. W. Ensey who was quite sick but is now improving.

Mr. Bill Green and family and Mrs. Ida Green of Asheville spent last week end with Mrs. Lona Green.

Mr. Lloyd Quiett spent last week with his father, Mr. W. M. Quiett at Qualla. He says he had a fine time killing squirrels.

Miss Eva Hoyles has gone to Canton to spend some time.

Mrs. Maybel Perry made business trips to Waynesville and Canton Saturday.

Mrs. Cora Smathers has moved to Waynesville.

Mrs. Emma McKay Sigman of Clairmont is visiting relatives here.

Mr. George Coward and family attended the funeral of little Charles, six months old son of Mr. and Mrs. Ed Painter, who died last Friday at their home in Cullowhee. Interment took place on Sunday.

Misses Marie Coward and Louise Arrington visited at the home of Mr. and Mrs. Ed Painter in Cullowhee Saturday.

Mr. T. M. Norman was operated on for appendicitis in the Sylva hospital Tuesday.

## JACKSON COUNTY TEST ASSOCIATION RECORD FOR AUGUST

In determining these records butterfat is rated at 45 c per pound which is the average price for the year selling on the market Jackson county farmers now have. The skim milk is worth at least 75c per 100 pounds everywhere for feeding calves, pigs and chickens. The pasture cost the cows \$2.00 per month and the grain they eat is at market price.

Owner's Name	Address	Cow's Name	Breed	Pounds Milk	Test	Pounds B. Fat	Value of Fat 45c lb.	Value Skim Milk	Value Milk and Fat	Cost of Feeding and Past.	NET PROFIT
H. G. Ferguson	Whittier	Sook T	Tenn. Jersey	1061.7	4.6	48.8	\$22.40	\$ 7.59	\$ 29.99	\$ 5.72	\$ 24.27
C. E. Rogers	Whittier	Brendel	Jersey and Short H	849.9	4.8	37.6	16.92	6.09	23.01	2.00	21.01
Cullowhee State Normal	Cullowhee	No. 5	Jersey	983.7	4.6	45.2	20.34	7.03	27.37	6.96	20.41
Cullowhee State Normal	Cullowhee	No. 2	Jersey	803.2	5.6	44.9	20.20	5.68	25.88	6.96	18.92
J. E. Tritt	East LaPorte	Beauty	Jersey	818.8	4.4	36.0	16.20	5.86	22.06	4.48	17.58
J. E. Tritt	East LaPorte	Bonnie T	Tenn. Jersey	705.9	5.2	36.8	16.50	5.02	21.52	4.48	17.04
J. E. Tritt	East LaPorte	Lillie T	Tenn. Jersey	680.0	5.4	36.9	16.52	4.82	21.34	4.48	16.86
J. E. Rogers	Whittier	Patsy T	Tenn. Jersey	527.4	6.0	31.6	14.92	3.71	17.93	2.00	15.93
Cullowhee State Normal	Cullowhee	No. 9	Tenn. Jersey	749.2	5.2	38.9	17.50	5.32	22.82	6.96	15.86
H. G. Ferguson	Whittier	Shuler	Jersey	722.0	5.0	36.1	16.24	5.13	21.37	5.72	15.65
TEN GOOD COWS' RETURNED				7901.8	5.0	392.8	\$177.04	\$56.25	\$232.09	\$49.76	\$182.33

The high herd profit for this month was made by H. G. Ferguson of Whittier. 3 cows netted him \$52.90 or \$17.63 profit per cow. The second high herd profit was made by J. E. Rogers of Whittier. 3 cows netted him \$51.38 or \$17.12 profit per cow. The third high herd profit was made by J. E. Tritt of East LaPorte. 5 cows netted him \$73.73 or \$14.73 profit per cow. The 34 cows tested in Jackson County Test Association for August by eight farmers returned their owners an average net profit of \$12.49 per cow per month.

The eight farmers testing these cows weighed their milk every night and morning on Government Test Milk Scales and recorded it on milk sheets furnished by N. C. College of Agriculture. Strict records were likewise kept on feed and pasture cost and charged up to the cows.

The work on the farms was supervised by County Agent C. W. Tilton while the butterfat tests were made for the month by Prof. Frank H. Brown in the Cullowhee State Normal Laboratory. These records were carefully worked out and checked by Prof. Brown and Mr. Tilton and they are accurate.

## FOOTBALL TOMORROW

Sylva Collegiate Institute's Football team will meet Franklin High on the local gridiron tomorrow afternoon at 3:30, for the first game to be played in Sylva for many years.

S. C. I met the Cherokee Indians last week, at the Indian fair, and made an excellent showing. This was the first game that the Sylva school ever engaged in, and the spirit of the team was the topic of much favorable comment from lovers of the sport, and it was believed that only inexperience was the cause of defeat, the final score being 25 to 6 in favor of the Indians.

The S. C. I. team has been training hard, and with one game of play behind it, it is expected that tomorrow's game will be a good one.