

The Jackson County Journal

\$1.50 Year in Advance in The County.

SYLVA, N. C., THURSDAY, FEBRUARY 26, 1931.

\$2.00 Year in Advance Outside The County.

Mull on Trial For His Life

Dee Mull was placed on trial for his life in Superior court here, Tuesday morning, for the slaying of Riley Parker at East Laporte on Christmas day.

Fred Wood, who lives on Moses creek, was the first eye witness placed on the stand. Wood swore that an hour or so prior to the shooting, Mull and Parker were standing on the porch of the Blackwood Lumber Company store at East Laporte, and that they were quarreling. He said that Mull told Parker that he was going and get a gun and come back and kill him and that Parker said he would wait for Mull to return. The witness stated that Mull came up the road later, with a shot gun, and called to Parker, who was at that time in front of Jeff Zachary's garage. He swore that Parker started toward Mull, and Mull told him not to come any further. Parker then told the defendant, according to Wood to go and throw the gun away that he didn't want any trouble with him. Mull then told Parker to say what he did that morning, the witness swore, and Parker turned and took some three steps away from Mull, when Mull fired. He swore that Parker had nothing in his hands at the time the shot was fired, and was walking away from Mull. Mull then broke the gun and reloaded it, Wood said.

Dr. Candler swore that Parker was brought to the hospital in Sylva about noon on Christmas day, that he was shot in the back of the knee of his left leg, an artery had been severed, and he was suffering from shock and loss of blood. He stated that the gun shot wound in the knee was the cause of the death of Parker. Cross examination tried to get the doctor to say that if Parker's leg had been corded soon after the shooting that he would have recovered; but Dr. Candler wouldn't say it. He stated that an amputation would have been necessary, and that Parker's chances for recovery would have been better. He stated that a line treatment was given to replace the blood that had been lost, but that the patient did not respond to the treatment and that he died about 8 o'clock that night.

Felix Hooper swore that he heard the gun fire and saw Parker stagger against a truck, and that Mull came back to where the witness was, after reloading the gun and Oscar Lovedahl grabbed Mull and held him, while the witness twisted the gun out of his hand.

Oscar Lovedahl stated that he and some others drove up in a truck about the time of the shooting, that Mull was going up the road, and that he heard somebody call Parker and Parker started toward Mull and turned and had taken some three steps in the other direction when Mull raised the gun and fired. Lovedahl swore that Parker had nothing in his hand at the time, and that he was walking away from Mull when the Mull fired. He stated that he couldn't hear what was said because the engine of his truck was running. He said that he had heard the two quarreling about an hour before, and had heard Mull tell Parker to stay there until he came back.

Clarence Stevens said that he was there all morning, and that Mull came down the road and began throwing rocks at some boys skating on some ice. Mull and Parker quarreled, and Stevens heard Mull tell Parker that he wouldn't be there when he came back. He said that he saw Mull return, walking up the road and heard him call to Parker. Parker started toward Mull, the witness said, and Mull told him to stop. He said that Parker turned and was walking away from Mull when Mull shot him.

The State is represented by Solicitor John M. Queen and the private prosecution by Doyle D. Alley, E. P. Stillwell and McKinley Edwards are defending Mull. The State's evidence was completed on yesterday and the defense began putting in its testimony. The case will be completed some time today, it is expected. The jury was secured in about two hours and is composed of:

C. M. McCallie, Sylva; S. N. J.

Cullowhee Tournament Begins Today 10 A. M.

Cullowhee, N. C. February 23 — The seventh annual basketball tournament to be held at Western Carolina Teachers College will get under way today when the teams from all over the western part of the state gather on the local campus to determine the cage champion of the hills. The following teams are scheduled to play at the hour specified:

Thursday, February 26:
10:00 John's Creek—Glenville—boys
11:00 Webster—Glenville—girls
1:30 Highlands—Cullowhee—boys.
2:30 S. C. L.—Almond—girls.
3:30 Cullowhee—Andrews—girls.
4:30 Hayesville—S. C. L.—boys.
7:30 Waynesville—Sylva—girls.
8:30 Andrews—Webster—boys.
9:30 Almond—Waynesville—boys.

Friday, February 27:
1:30 Hayesville—Bethel—girls.
2:30 Winners begin to play off championship. The final date is Saturday, February 28, and the last game is scheduled at 9:00 in the morning.

Thus far the Waynesville girls and boys have copped two tournaments; however, both teams lost last year. The winners for the last tournament were Webster boys and Bethel girls, according to Miss Alice Benton, director of girls athletics at Western Carolina Teachers College.

Western Carolina Teachers College furnishes entertainment for the visiting teams.

FORTY YEARS AGO

Tuckasee Democrat, Feb. 25, 1891

We regret to learn that Little Lindon Parker is quite sick.

Mr. L. J. Smith of Painter, was in town yesterday on business.

Messrs. J. A. Wild and J. J. Hooker of Webster were here Monday.

Mrs. W. A. Dills of Dillsboro was visiting in our town yesterday.

Mr. W. M. Hooper of Tuckasee, was in town Thursday and Friday.

Messrs. Nathan Coward and T. B. Allison of Webster were here Thursday.

Mrs. Mary Moore of Buncombe is visiting her daughter, Mrs. B. H. Sherrill.

Miss Belle Leatherwood of Webster left on Friday for a visit to friends in Waynesville.

Mr. Joseph Baum, left last Thursday after a visit of several months' duration to his parents here.

Mr. G. W. Candler of the Railway Mail Service, spent a night here last week with Mr. J. W. McKee.

Messrs. W. E. Moore and J. W. Keener of Webster were visiting in our town Sunday. Mr. Moore left on Monday to attend Madison court.

The entertainment given by the Dramatic Club of Dillsboro, last Friday night was well attended and much enjoyed by those present. Several of the young people from here attended among whom were Misses Leila Potts and Pauline Morris and Messrs. J. E. Divilbiss, J. W. McKee, T. C. Bryson and C. B. Wike.

The trestle at Bryson City, which was washed out a few weeks ago, had just been rebuilt and gotten in

Buchanan, Green's Creek; J. S. A. Buchanan, Savannah; M. E. Buchanan, Savannah, Lyle Jones, Barker's Creek; Bill Painter, Sylva; J. T. Robison, Dillsboro; W. O. Robinson, Willits; Rufus Jones, Balsam; C. L. Green, Green's Creek; R. L. Elders, Barker's Creek; C. Y. Dunlap, Qual-

WANTS ROAD MASS MEETING

Sylva, N. C. Feb. 24 1931
Mr. Dan Tompkins, Editor,
Jackson County Journal,
Sylva, N. C.

Dear Sir:— Since the proposed change in State Highway No. 10 is being seriously considered again, and in fact I understand that contract is to be let at once for the building of bridges and grading of the proposed change, I wonder if the general public knows anything about just what is to happen.

It has been the custom heretofore when any important changes or any projects were to be submitted to the people, or when the people have wanted to push for any piece of road work to be undertaken, that the Chamber of Commerce has either called a meeting of the Chamber of Commerce or a Mass Meeting of the Citizens.

In this instance this has not been done and I feel like such a change as is contemplated as the relocation of this piece of Highway No. 10 and here the people of the entire section are interested, that this matter should have more publicity than it is now having, therefore I am asking that you please publish this letter and if our people think the change of any importance, they may so express themselves.

You will recall that at the time Highway No. 10 was located through the Main Street of Sylva that a Mass meeting was held at the courthouse and so much pressure was brought to bear, that the Highway Commission, against the advice of the Engineering Department, so located the Highway. The biggest argument and the main stress for the location of Highway No. 10 through the Main Street of Sylva, was; "That if the Highway was located on the North side of Scott's Creek, that it must pass through the grounds of the Graded School property, thereby endangering the lives of many school children. Since that time the Graded School building has been torn away and a new building erected along side of the present State Highway No. 10. Instead of the lives of the school children of this age being endangered as the building was located at that time, all of the children in the Graded School and all the High School children attending the Sylva Central High School must pass over a stretch of road from the West end of Main Street to the school grounds crossing at the intersection of Highway No. 10, Mill Street, Main Street, Keener Streets and Savannah road.

readiness for the iron rails to be laid on, when the heavy rains of Friday night and Saturday washed it out again. One of the "fills" between here and Balsam had sunk so much Saturday as to make it impassable by the train. It came as far as Balsam and returned, going only as far as Waynesville however as a slide near Clyde impeded its further progress, until Sunday, when the slide was removed and the train went back to Asheville. On Monday it was found that a large rock had fallen into Dark Ridge cut, which prevented the train reaching here again. Our mail facilities are cut off from the east as well as from the west now, but we hope the damage will soon be repaired and the trains running regularly.

We hear it rumored that a petition will be sent to the legislature asking that the section of the charter of Sylva which prohibits the sale of spirits within certain limits, be repealed and that another attempt will be made to get a barroom here. We do not know on which side of the question: "shall whiskey be sold in Sylva" the preponderance of the voting strength of the community would fall, but the Democrat desires to put itself on record as being unalterably opposed to such a scheme, and it believes it voices the sentiment of a majority of all interested in the subject, in that opposition. Be that as it may, whatever influence the Democrat can wield, be it little or much will be used to prevent the establishment of a barroom here, and if we have any subscribers who don't like our position on the subject they are at liberty to pay up their arrearages and stop the paper.

GRAND JURY OPS COMMISSION

The Grand Jury of Jackson county has been investigating the affairs of the Tuckasee Bank, which closed its doors last April, and strongly advised the State Banking Department in a special report made to Judge Moore.

The report says: His Hon. Walter E. Moore, Judge Presiding.

While preparing our report, we the Grand Jury, have come across some information that we believe should be submitted to the court which is as follows:

In a precursory investigation of the defunct Tuckasee Bank that among the Corporation Commission and its employees at least the Chairman and Chief Clerk has been borrower of said defunct bank and that within a few months after its failure the Cashier of the same has been appointed by the Corporation Commission as liquidating agent for another failed bank in the State.

Now, while these facts may be perfectly legitimate so far as statutory law and interest is concerned, we do think taken together to us they have sinister look on their face and if known might bring about a distrust of the Bank supervisory Department of the State, and such practices would receive the condemnation of all right feeling people.

O. B. COWARD, Foreman

JACKSON BELIEVES IN DEATH PENALTY

The people of Jackson county are firm believers in capital punishment in the opinion of the venire that was drawn for the trial of Dee Mull is an indication. Solicitor John M. Queen asked forty two men whether they had any conscientious or religious scruples against capital punishment. Under oath 36 of the forty two said that they believed in it. Five said that they were opposed to it, and one man said that he hadn't made up his mind about it.

HOYLE LOSES HOME

The home of W. B. Hoyle in East Sylva was totally destroyed by fire early last Thursday evening. The fire department answered the call, but was unable to accomplish anything, except to protect adjoining property, because the house was too far gone for the chemical hose to extinguish the blaze and, there are no water mains in the vicinity which is outside the town.

LYRIC THEATRE REOPENS

The Lyric Theatre has reopened under the management of Theodore Dills, and will be open six nights each week, with two matinees on Saturday, starting at 1 o'clock.

The price of admission have been reduced to 10c and 35c for all performances.

I recall very vividly the appeal made by some of our ladies and other speakers to keep away from the graded school building that was at that time located on the North side of Scott's Creek and save the lives of the little children attending the Graded School. I feel like the lives of the children attending the Graded School and the High School should be regarded as much today as at the time the present Highway No. 10 was located through Main Street in Sylva against the better judgment of the Engineering Department of the State Highway Commission.

After you have published this letter if you readers think that the proposed change is of any importance, I will be glad to help in any way to get a hearing on the matter as I think it only fair that our people be considered in as important a matter as this piece of road work.

Very truly yours,
A. J. DILLS

Jury Fails to Agree-- Frady Pleads Guilty

Western Carolina Teachers College News Letter

Cullowhee, N. C. February 23 — Officers have been elected for the Alpha Phi Sigma, national honorary scholarship fraternity, at Western Carolina Teachers College. They are: Rowe Henry of Gastonia, president; Miss Kathleen Davis of Shelby, vice-president; and Minor Wilson of Hendersonville, treasurer.

The girls basketball team at Western Carolina Teachers College will leave today on a trip to Boone and Johnson City. Tonight they will play Appalachian State Teachers College at Boone, and tomorrow night, East Tennessee Teachers College at Johnson City.

The following officers have been elected for the Debating Club at Western Carolina Teachers College: J. R. Porter of Murphy; president; Elizabeth Wright of Asheville, vice-president; and Amy Brinson of Arapahoe, secretary.

Members of the faculty of Western Carolina Teachers College who heard the Westminster choir at the Central Methodist church in Asheville, February 18, were: Misses Lona Bill Braswell, Mary Hope Westbrook, Mary Rose Feagans, Fannie Goodman, Alice Haigler and Dean W. E. Bird.

Reservations have been made for the students who are to represent Western Carolina Teachers College at the State Teachers' Association.

WEEK BY WEEK

(By Dan Tompkins)

Big Bill Thompson has been renominated for mayor in Chicago. If the people of Chicago neglect him, they have no further sympathy from us. We leave them to their well-deserved fate.

The provision to loan fifty percent of the Veteran's Adjusted Compensation certificates has passed both houses of congress by overwhelming majorities. President Hoover is expected to veto it, as it is violently opposed by Mr. Mellon; but congress will probably pass it over the veto.

Muscle Shoals operation under a compromise bill, fathered by Senator Norris, has passed both houses of congress and has gone to the White House. The president is expected to either veto or ignore the bill, and let it fail to become law, because it will not have his signature prior to the expiration of congress on March 4. Of course Mr. Mellon, one of the power magnates, is opposed to the operation of Muscle Shoals by any other agency than the power trust. Truth is that the power people have been trying to get their hands on this property of the people, for the past decade.

The Governor's Road Bill, which has been causing considerable agitation throughout the State, has passed the lower house of the general assembly, by a big majority, and has gone to the Senate. Under its provisions, all the roads in the State will be taken over by the State for maintenance. Governor Gardner expects a large reduction in property taxes to result. The maintenance and control of the million and one little roads in North Carolina, from the central office in Raleigh, seems a big undertaking. In fact it appears to me too be unworkable; but I hope that it will come up to the expectation of the Governor.

DAVE DILLARD'S BARN BURNS

Dave Dillard, whose home is in East Sylva, lost his barn and some fifty bushels of corn and a quantity of roneage, by fire Friday afternoon. The fire started from a small boy playing with matches, it is said.

The jury trying Harvey Frady, young white man, on a charge of second degree murder for the slaying of Ed. Blakley, negro, on August 29 last, on Little Savannah was hopelessly unable to agree about the truth of the matter and so reported to Judge Moore who ordered a mistrial. That was on last Friday. Judge Moore ordered that Frady give bond in the sum of \$5,000 for his appearance at the October term of court for another trial of the case. Frady was unable to post a bond of this size, and would have been forced to remain in jail until next October. On Saturday he came into court, tendered a plea of guilty of manslaughter, which was accepted by the State and was sentenced to 12 months in the State prison.

Ray Cochran, 16 year old boy, entered a plea of guilty of an attempted assault upon a little girl. Judge Moore heard the evidence and it was shown that the Cochran had suffered with epilepsy since he was a small child, and that his mental state has been impaired. He was sentenced to serve from 3 to 5 years; but the sentence was suspended upon condition that he give bond for his good behavior, and he was placed in the custody of his relatives, under bond and is not to be allowed to leave home except in company with some member of the family, who can control him.

Herbert Webster plead guilty to manufacturing and the judgment of the Recorder's court, sentencing him to 6 months was affirmed. It was shown to the court that he has moved from the Dick's Creek community, and is now trying to make a crop for his family, and is not fooling with liquor. Judge Moore gave him the opportunity of preparing to leave his family so that they will not be in want while he is serving his term, by postponing the beginning of the sentence until the October term of the superior court.

S. A. Ashe was given 12 months to be hired out by the commissioners on charge of an assault with a deadly weapon upon his half brother.

Wade Moore and Bud Lewis, convicted of forgery were sentenced to serve 12 months, but the sentence was suspended upon payment of \$25 and the costs and upon good behavior.

Alton Parker, indicted on a larceny charge, plead guilty to forcible trespass, and was sent to work at the county home for 3 months.

Jess Arnold, negro, convicted of violating the prohibition laws, was sent out to work for Mr. Sheppard on the county farm for 30 days.

Tom Arrowood, violating the prohibition laws, 4 months suspended for 2 years upon payment of \$25 and the costs and upon good behavior.

Roy Bryson, disturbing religious service, \$25.00 and the costs. Bryson proved by the minister and other good citizens of the community that his character is good and that they did not believe that he intended to disturb the congregation.

Tommy Turpin, drunk, convicted, not guilty.

Jude Gibson, manufacturing, was diet of not guilty.

The North Carolina Students' Mission Conference at Chapel Hill. The following students plan to attend the Conference which will be held from February 27 to March 1. Flora Gilbert of Columbus, Martha Lou Stillwell of Cullowhee, Pearl Justice of Clyde, Mattie Lou Mease of Hayesville, Frances Ewing of Halifax and Norval Rogers of Crabtree.

In one of the most hotly contested games of the season at Western Carolina Teachers College, the Yodelers defeated the Rutherfordton team last Wednesday evening with a score of 35-33.

As it was the last game to be played on the home court, pep was added to the game during the quarters by the college orchestra. During the half a group of boys clad in non-descript clothing put on a game with a huge basketball.