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JOINT FUNERAL CONDUCTED FOR MINE VICTIMS

Howard Brothers Die As Georgia Mine Tunnel Caves In

Joint funeral services were held Monday for two Macon County brothers—John Porter Howard and Thomas Howard—who died Saturday afternoon in a mine accident.

The men, alone in the mine at the time, were crushed when a 25-foot shallow tunnel on the Powhatan asbestos mine, in the Pine Mountain section of Georgia, caved in. It took 100 workers two hours to recover the bodies.

The brothers, aged 51 and 47, respectively, lived in the southern part of this county, near the Georgia line. John, the elder, had been employed at the mine for the past eight years. His brother had worked there for a year.

The services were held at the Mulberry Methodist church at 3 o'clock Monday afternoon, with the Rev. V. N. Allen, pastor, officiating. Burial followed in the church cemetery.

Pallbearers for John Howard were Carl Howard, James Ayers, Crawford Ayers, Carl Rogers, Lawrence Bingham, and William Bingham.

Those for his brother were Roy Rogers, Lee Corn, Robert Norton, Lawrence Howard, Thomas McDowell, and Ervin Carpenter.

John Howard's survivors include his widow, the former Miss Euzero Wood, and two children, Ned and Rosetta.

Thomas Howard is survived by his widow, the former Miss Carrie Jane Bradshaw, and two children, Julia Ann and Sallie Sue.

They also are survived by two brothers, Fred Howard, of Vancouver, Canada, and Zeb Howard, of California; and three sisters, Miss Carrie Howard, of Dillard, Ga., Route 1, Mrs. Roy Walters, of Langlois, Ore., and Mrs. Luther Young, of Ellijay.

The funeral arrangements were under the direction of Potts funeral home.

Mr. and Mrs. Ralph Baker and Miss Helen Wild of Marshall, and Wayne Faulkner were dinner guests of G. B. Woodward here Wednesday.

Hauser Vote Case Thrown Out By Court

The grand jury, in Macon superior court this week, found a no true bill in the case of James Hauser, who had been charged with violation of the election law.

Mr. Hauser was bound to the grand jury by Justices of the Peace C. A. Setser and Robert Stamey, when the case came before them for hearing Friday afternoon of last week.

The warrant, sworn out by Frank Hastings on the day of the general election last month, charged that Mr. Hauser, a Democratic marker at the Franklin polling place, changed Mr. Hastings' ticket "from a Republican ticket to a Democratic ticket, against affiant's will".

DISMISS CASE AGAINST MANN

Justices Rule Vote Board Chairman Acted Within His Discretion

The election law violation charge against J. J. Mann, chairman of the county board of elections, was dismissed when the case came before Justices of the Peace C. A. Setser and Robert Stamey last Friday.

It was charged that Mr. Mann had violated the law, in that he had used the mails to deliver absentee ballots to persons filing proper applications, instead of delivering them in person, or giving them to members of the applicants' immediate families. The warrant was issued shortly before the November 5 general election, on complaints made by Republicans.

The witnesses for the prosecution—John Martin, Pink Martin, and Deputy Sheriff Walter Dean—testified that he generally had refused to give absentee ballots to members of applicants' immediate families, but admitted, upon cross-examination, that in two cases he had relaxed the rule. They also admitted that in none of the cases covered in the testimony did the applicant fail to receive his or her ballot in time to vote.

The prosecution argued that the election board chairman should have complied with the request of the applicants as to the manner of delivery of the ballots, but the justices ruled that the law gives him discretion as to whether ballots shall be delivered in person, or given to members of applicants' immediate families, or sent by mail.

Upon motion of the defense, the case was dismissed at the conclusion of the state's evidence.

8 OFFICIALS START TERMS

Four new and four reelected county officials this week began their terms of office.

J. Clinton Brookshire, the new clerk of superior court, was administered the oath of office by Judge Zeb V. Nettles at the opening of superior court Monday morning. When Mr. Brookshire had completed the long clerk's oath, following the judge's phrase by phrase, Judge Nettles congratulated him, and the new clerk started calling the jurors. On hand to assist him on this first day in office was A. R. Higdon, the retiring clerk.

Earlier Monday Mr. Higdon had given the oath to Sheriff J. P. Bradley, while Mrs. Edith C. Byrd, retiring assistant clerk of court, had sworn in Register of Deeds Lake V. Shope and the three county commissioners—Chairman W. E. (Gene) Baldwin and W. W. Edwards, both reelected, and J. W. Roane, new member of the board.

Administration of the oath to the other new office holders, Coroner O. L. Blaine and Surveyor John H. Dalton, was deferred, pending adjournment of court.

Herbert A. McGlamery, the county's new representative, will be sworn in at Raleigh.

Only 38.1 per cent of babies born in North Carolina are delivered in hospitals.

PTA WILL STAGE 'CORNZAPOPPIN' HILLBILLY SHOW

Performances To Be Given Friday And Saturday At Courthouse

"Cornzapoppin", amusing and entertaining local talent hillbilly show, will be presented here Friday and Saturday evenings as a benefit for the Franklin Parent-Teacher association, and advance ticket sales indicate that the courthouse auditorium will be well filled each evening when the curtain goes up at 7:59 o'clock.

The cast of characters and members of the choruses were announced this week by Miss Doris Hall, the professional director who is here to put on the two performances.

Mrs. Lucille Siler has the role of Elvira Judkins, and Clayton Ramsey that of Henry Judkins. Ann Lyle is Sue Judkins, and Eimer, the other member of the Judkins family, will be played by Ruth Angel.

Bill Sloan will play the part of Bob Sandrock; Mrs. Henry West will be Aunt Bessie; Mrs. Neil Johnston has the role of Cousin Linney Pearl; Jane Setser is Mazie Mae; Mrs. J. L. Palmer will take the part of Miss Twitty; and R. E. McKeivey will be Squire Hicks.

In the choruses will be Nancy Grant, Barbara Chiders, Betty Sue Angel, Ann Cabe, Frankie Crisp, Lucille Hannah, Katherine Furr, Marjorie Constance, Audrey Stewman, Frances Thomas, Janet Cochrane, Betty Lou Constance, Elizabeth Jones, Mary Ann Sherrill, Julia Hunnicutt, Willa Jean McGlamery, Wilma Gay Phillips, Maxine Renshaw, Freda Siler, Edith Plemmons, Katherine Long, and Loraine Angel.

Juanita Allen will be the pianist.

Tickets for the two performances have been on sale by school children, and are reported to have been selling rapidly. Meanwhile, members of the committee in charge announced that tickets also may be purchased at Belk's Department store or at the Quality shop.

The show is said to be an entertaining combination of tuneful music by the choruses, merrily and attractive group dances, and laughs from start to finish.

Members of the cast and the choruses have been practicing nightly for the past week, and the final rehearsal was highly satisfactory, Miss Hall declared.

County-Wide B. T. U. Meet Planned Dec. 6 At Highlands Church

The county-wide associational meeting of the Baptist Training union will be held at the Highlands Baptist church Friday evening, December 6, starting at 7:30 o'clock. The meeting will be under the leadership of E. Carlton Cleveland, superintendent of the Highlands B. T. U. department.

Grand Jury Reports County Home Condition 'Very Bad'; Says Bedding Is Adequate

The county home is "in very bad condition", the grand jury declared in its report, submitted to Judge Zeb V. Nettles Tuesday.

The report, signed by A. L. Ramsey, foreman, made no major criticism of the way other county institutions, buildings, and offices are kept.

The grand jury reported that the County home "is in need of new paint and the roof is leaking badly. . . . There is no fuel on hand for this building and it was very cold and unheated, with some of the inmates sick and bedfast. Also there is not sufficient bedding, and inmates who are bedfast and the others sleep in the same bed".

The report recommended that this condition be remedied, that the building be painted, re-roofed, gutted, and that the farm be leased for a long period with a view to soil improvement.

With reference to the courthouse, the grand jury commented that "there is no need for

Slagle Memorial Hill To Honor War Dead Too, Under Terms Of Trust

The wooded hill just back of the Nantahala Creamery will become a memorial to Macon County dead of two World Wars, while the beautiful stone building being constructed on the crest of the hill will stand as a memorial to Charlie Slagle, under terms of a trust agreement put on record in the register of deeds office Monday.

In the agreement, A. B. Slagle and wife, Addie, who are erecting the structure to memorialize their son, convey the hill to a board of trustees, and Macon County Post No. 108, American Legion, assigns \$9,000 to the same trustees.

Such of the Legion funds as are required for the purpose are to be used to erect a caretaker's home on the property, and the agreement provides that the entire plot is to be known as "Veterans Memorial Park", commemorating the soldier dead of this county of both World Wars.

One of the purposes of the agreement was to set forth the terms under which the Legion is to use funds received from the recent sale of its building on West Main street to construct the caretaker's home.

Members of the board of trustees are named in the agreement, as follows: Harold Enloe, representing the Legion post,

for a term of six years; A. B. Slagle, representing Junaluska Lodge No. 145, A. F. and A. M., for two years; John Archer, representing Macon County troops of the Boy Scouts of America, four years; Erwin Patton, representing the A. B. Slagle family, eight years; and G. L. Houk, as county superintendent of schools, for so long as he holds that office, the successor to

each of these trustees is to be selected by the organization or interest he represents. The successors in each case are to be named for eight-year terms, with the exception of the superintendent of schools, who shall hold office only for so long as he may be county superintendent.

While the agreement names the Boy Scouts of America as the primary beneficiary of the trust, it sets forth that the property may be used as a meeting place for civic organizations and societies, for conventions, as a general recreation center, etc., subject to the rules and regulations promulgated by the trustees.

The agreement expressly gives the local Legion post and the Legion Auxiliary chapter the right to use the Charlie Slagle Memorial Building as a meeting place, provides that the Legion shall have a storage room in the building, and gives the Legion the right to erect memorial plates and monuments on the property, other than upon the Memorial building itself.

The board of trustees is given complete authority over the property, except that it may not mortgage or sell any part of it.

Mr. Slagle, under the indenture, "reserves unto himself the full right to complete the Charlie Slagle Memorial Building according to his plan and at his discretion, and no funds other than his own may be used in the completion of said building if being his desire and purpose that this building be his own act and deed which he erects as a memorial to and in honor of his son".

Lantern Fire Razes Barn, Kills Stock

Otto McClure, of the Prentiss community, is recovering at Angel clinic from burns he received while vainly attempting to save his livestock when his barn burned last Thursday night.

The fire was said to have started when oil spilled from a lighted lantern being used for illumination in the barn while the stock was being fed. The flames spread quickly to the hay, and the building collapsed in about 40 minutes.

Mr. McClure lost two seven-year old mules, three milk cows, a two-year old heifer, as well as the barn, filled with hay, four wagon loads of corn, 35 bags of cement, fertilizer, etc. The crib, containing some 40 bushels of corn, and a small granary, in which he kept his small tools, also burned. One cow and one heifer were all he saved.

He estimated the entire loss at between \$2,500 and \$3,000.

RAMSEY HEADS GRAND JURORS

Albert L. Ramsey, prominent in Macon County agricultural activities, was appointed by Judge Zeb V. Nettles, presiding as foreman of the Macon County grand jury for the December term of superior court, as court opened here Monday morning.

The names of Mr. Ramsey and the other 17 members of the grand jury were drawn from a hat by Linda Kay Smith, four-year old daughter of Patrolman and Mrs. Pritchard Smith Jr.

Chosen for grand jury duty, in addition to Mr. Ramsey, were J. Harvey McConnell, Erwin Patton, J. T. Nichols, Jos Asher, James C. Myers, W. M. Barnard, A. P. Cunningham, Fred Taylor, John M. Norton, W. T. Moore, W. N. Dalrymple, C. A. Shields, Clarence Phillips, Ed Shope, Bryan Setser, W. S. Castle, and W. B. Long.

In his charge to the grand jurors, Judge Nettles, referring to suggestions that the grand jury system be abolished, termed it "one of the bulwarks of the liberty of the individual citizen", and urged that "we make haste slowly in changing things that have been handed down to us by our forefathers."

He told the grand jury that it is the "fountainhead of all criminal law, and the source from which all prosecutions flow", and that it's responsibility, therefore, is great.

"The peace, the good order, the stability, and the morality of your community largely rest upon you.

"No man is above the law, and none should be too humble to merit your protection from malicious prosecution."

The judge outlined the duties of the grand jury:

1. To pass upon bills of indictment handed in by the solicitor.
 2. To make presentments of crimes that have come to the knowledge of members of the body.
 3. To examine the bonds filed with the clerk of superior court by guardians.
 4. To visit the county institutions an report to the court on the conditions found.
- He particularly called attention to the importance of investigating the operation of places of amusement to determine if they comply with the law, to the "flagrant violation of the prohibition laws".

LEDFORD GIVEN 4-7 YEARS IN FORGERY CASE

2 Sentenced For Bigamy; Court Ends Highlands Controversy

Roy Ledford, convicted of forging a check, was given a term of four to seven years in State prison by Judge Zeb B. Nettles, presiding at the December term of superior court, this week.

Convicted of bigamy, Roy Arnold was given 18 months in jail, and Bessie Moody was sentenced to one to three years in State prison.

The court adjourned Wednesday afternoon, after disposing of a considerable list of criminal cases, most of them of minor importance, granting a dozen divorces, and acting upon a few other civil matters.

The case of W. W. Edwards and F. A. Edwards against the Town of Highlands was ended when Judge Nettles ordered the plaintiffs' appeal, notice of which was filed last August, dismissed, since the appeal had not been perfected.

Fined \$600
Lawrence Huffman, for prohibition law violation, was sentenced to eight months, suspended on payment of \$600 and the costs, and that he be of good behavior. His automobile was ordered confiscated.

A. O. Owenby was given six months, suspended on condition he be of good behavior and pay \$100 and the cost. He pleaded guilty to prohibition law violation.

Pearshall Huffman was sentenced to eight months on the prohibition law.

Paul Cochran was sentenced to serve six months for carrying a concealed weapon, and the pistol was ordered confiscated.

Ed Russell, for operating a motor vehicle intoxicated and transporting and possession, was given eight months, suspended for three years, on payment of \$100 and the costs. He is required to show to the court, twice yearly for three years, that he is complying with the other conditions of the order.

Ebbie Tallent, for aiding and abetting transporting and possession, was fined \$25 and the costs.

Sentenced For Affray
For an affray, Monday Patterson was given six months and C. Ledford, four months. Both sentences were suspended for three years.

Robert Lamb, for prohibition law violation, was given eight months on one count and 12 on a second. The second sentence was suspended.

For operating motor vehicles intoxicated, the following defendants were fined \$50 and the costs, each, and their drivers' licenses ordered revoked: Fred Hastings, Glenn M. Moffitt, Elmas Harding Henson, Don L. Henry, Ellis Samuel Conley, and Hoyt Rimmer Penland.

Fined \$100
On the same charge, William A. Norman was given a four months' sentence, suspended on payment of \$100 and the costs.

Willard Sanders was fined \$25 and the costs for prohibition law violation. Thomas M. Jones was given a four-months suspended sentence for public drunkenness, and David Gaddis was put on probation for three years for temporary larceny.

The slot machines seized from L. G. Appley, at the Dug-out in Highlands last summer, were ordered confiscated.

In the case of James Blackie Ward, judgment absolute was ordered on his \$500 bond unless he pays into the clerk of the court \$50 within 10 days after adjournment of court.

The "marriage or attempted marriage" of Furman Angel to Hattie B. Messer Angel was "declared void" in the case in which Dr. Angel was the plaintiff. Other divorces:

Mary Bess Colville from James Lowery Colville; Dorothy Bingham Carpenter from Bill Carpenter; Paul Blaine from Annie Mae Blaine; Margie Ogle from Ray Ogle; Fred Stewart from Victoria Stewart; Florence Joslyn from Bruce Joslyn; Clarence Harley Webb from Azalta Webb; John J. Jamison from Geraldine Y. Jamison; Callie Etheridge from Lon Etheridge; Bonnie Marie Wilburn from William Odell Wilburn; and J. E. Jones from Leona Walker Jones.

Do You Remember . . . ?
(Looking backward through the files of The Press)

50 YEARS AGO THIS WEEK

A few nights ago an old cat, that doubtless licked many a frying pan, tried her skill on a salmon can. She was found in the middle of the street next morning with her head jamed completely in the can so dead there was no hope of her coming back to live her other eight lives.

Floor silcloth at 30 cents per yard. Lamps, all sizes, decorated lamps and shades for Christmas presents. Side-combs, fancy hairpins. Harps from 5c to 20c. Sheeting 5 cents per yard. Calico and checks 5 cents per yard, at J. C. Wright's.

25 YEARS AGO

IOTLA—Mr. C. R. Mallonee is said to have the largest hog on Iotla. He thinks the red hogs the best of all, but let me say, when you buy one hold fast or it will get away.

The community of Franklin showed their usual liberal spirit by "pounding" the Presbyterian minister, Mr. Wallace. The Methodist minister, Mr. Allen, and Mr. Ward of the Franklin circuit, during the Thanksgiving holidays.

10 YEARS AGO

A Macon county family which moved west in the frontier days has supplied another governor of the state of Colorado. He is Teller Ammons, son of the late Elias N. Ammons, who served as Colorado's chief executive from 1912 to 1914.

HIGHLANDS—Highlands saw its first snow of the season on Thanksgiving day, when snow began to fall at noon and continued throughout the afternoon and evening.