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TEN PAGES

Attorneys Say Macon School Bonds Invalid

Topton Man Given 12-18 Month Term For Manslaughter

2 Other Defendants Get Road Sentences; Civil Court Completed

Ralph Hardin, of Topton, was found guilty of manslaughter by a Macon County jury in superior court here Tuesday, and was sentenced by Judge Dan K. Moore, presiding at the December term of superior court, to 12 to 18 months.

The case grew out of the death of Paul Wright, also of Topton, in a jeep accident.

The accident took place near Topton last summer, and the case was continued when it came up at the term of court last August.

Counsel for the defendant gave notice of appeal to the supreme court.

Court opened here Monday morning, and the criminal docket was completed Tuesday afternoon. The trial of the civil docket got under way Wednesday morning, with indications it would be completed in a day or a day and a half.

The cases of John Wiley Lenoir, charged with manslaughter in connection with the motor vehicle death of Tony Stephen Bateman, child of Mr. and Mrs. Gene Bateman, and of Walter David Huff, with operating a motor vehicle intoxicated and recklessly, resulting in the death of two Negroes near the Georgia line, were continued to the next term of court. Also continued was the case of James Hoover Henson, charged with reckless driving and failing to stop after an accident.

Hardin was one of three defendants to draw road terms.

The others were George Thompson and Roy Price.

Thompson was given eight months for violating the prohibition laws, and Price was given 12 months for abandonment. In the second of two abandonment cases Price was given 18 months, suspended on condition he start paying \$500

Do You Remember . . . ?

(Looking backward through the files of The Press)

50 YEARS AGO THIS WEEK

The Baptists at Sugar Fork have a new house of worship in course of erection. It is 50 by 34 feet, built of brick, and of modern design. It will soon be ready to receive the roof. W. L. Higdon, Esq., chairman building committee, Higdonville, N. C., will receive all contributions.

Ellijay High school has just entered upon its first session. Prof. Will R. Rickman is principal, and J. F. Slagle the assistant.

If any person in Franklin, or in Macon County, has a copy of "The Franklin Observer", the first paper published in Franklin by Malcolm Stafford, just before the Civil War, we would like to see it.

25 YEARS AGO

Mr. C. L. Emerson, chief construction engineer, with Robert & Company, reached Franklin Tuesday to discuss with the town board the plans for the municipal power dam.

Mr. and Mrs. J. D. Stiles gave a nice Thanksgiving dinner November 25—Riverside item.

Miss Mollie Hood, who was well known in Franklin, died at Whittier hospital November 23.

10 YEARS AGO

Mrs. R. S. Hall, of Franklin, Route 3, entertained with a dinner Sunday, honoring her husband on his 87th birthday anniversary.

Dillard Woman Is Named Assistant Home Agent

Miss Barbara Brown has been appointed assistant home demonstration agent for Macon County, and will report for work January 1. She succeeds Mrs. Ann Ray Murray, who resigned last August.

The new assistant agent is a graduate of the University of Georgia, where she majored in home economics. Following her graduation last August, she has been teaching the fourth grade in the school at Dillard, Ga., which is her home. She is the daughter of C. B. Brown, of Dillard.

Miss Brown, who will assist Mrs. Florence S. Sherrill, the home agent, is expected to devote most of her attention to 4-H club work.

Extension workers are appointed jointly by the State Extension service and board of county commissioners, and Miss Brown, who was named by the Extension service earlier, was approved by the board of commissioners at its meeting Monday.

Brief Report Of Grand Jury Lists County Home Needs

A list of needs at the county home featured the brief report of the Macon County grand jury, filed with Judge Dan K. Moore, presiding at the December term of superior court, Tuesday afternoon.

The report was signed by Foreman Charlie Shields.

A grand jury committee that visited the county home reported the need there of 18 pillow cases and 18 quilts, two men's union suits, two men's top shirts, one pair of women's shoes, and towels and soap. It also said commode covers are needed, and recommended a complete repainting job of the building, inside and outside.

Everything was reported in correct order at the prison camp by the group that visited that institution.

The jail committee found need for patching plaster in rooms, and repainting hall, kitchen and dining room downstairs.

Broken window glasses in the offices of the sheriff, clerk of court, and county superintendent were reported by the courthouse committee. That group reported the courthouse "toilets as clean as could be expected for condition of building".

Members of the grand jury, in addition to Foreman Shields, were Charles Ferguson, Leonard Myers, J. N. Fisher, T. R. Vinson, R. L. Shook, J. A. Brogden, H. T. Nolen, George W. Reece, Frank R. Roane, Clay Compton, Carl Donaldson, Ed Campbell, D. C. Hembree, Pritchard Russell, Charlie Downs, Oscar Buchanan, and N. E. Holden.

a month into the office of the clerk of court, for the support of his wife and child, within 30 days after he completes serving the first sentence.

On probation law charges Euell Owens was given six months, suspended for three years on condition he pay a fine of \$100 and the costs and be of good behavior, and Lee Roy Roper was fined \$100 and the costs.

Prayer for judgment was continued in the case of George Cleveland, Marvin Holt, and Eugene Wood, charged with violating the prohibition laws and aiding and abetting their violation, on payment of the court costs. The prohibition law case of Ellis Sanders was not pressed with leave, since the defendant is at the State Center for the Blind.

Given a jury trial, Ellis Hodges was found guilty of abandonment, and was sentenced to 12 months, suspended for five years, on condition he pay \$25 a month into the clerk of court's office for the support of his wife. A performance bond of \$500 was required.

Dewey Waters' monthly payments for the support of his wife and children, set at \$20 at the December, 1939, term of court were increased to \$40.

The defendants — Russell Blaine Groove, Jr., Raymond Coldwell, Robert Lee Bassinger, James Roscoe Dills, and James Thomas Bailey—charged with operating motor vehicles intoxicated, were given sentences of four months, suspended for three years, on condition each pay a fine of \$100 and the costs, not operate a motor vehicle for 12 months, and be of good behavior for three years.

In the cases of Sam Phillips McKensie, John Edward Arnold, John Richard Roach, and Gordon William Cathey, charged with operating motor vehicles intoxicated, not possess with leave were taken. In each of these cases, Solicitor Thad D. Bryson, Jr., said, the defendant's bond had been forfeited, and his driver's license would be automatically revoked.

11 TAX LISTERS ARE APPOINTED

Tax listers for the coming year were named by the Macon County board of commissioners at its regular meeting Monday.

The following were named to serve in the various townships:

Frank I. Murray, Franklin; Jack Cabe, Mill shoal; C. R. Bryson, Ellijay; Mrs. Fay Mashburn, Sugarfork; Walter Bryson, Highlands; Earl Dryman, Flats; W. M. Parrish, Smithbridge; Bryan Setser Cartoogechaye; Clint May, Nantahala; Robert Parrish, Burningtown; and Frank Browning, Cowee.

The board was informed by E. J. Whitmire, Jr., that, due to his position as a teacher, he would be unable to serve on the county road committee, which had recently been appointed by the county board of education and the commissioners.

The board named Lyman Higdon, Franklin merchant, to replace Mr. Whitmire, and decided to ask that J. W. Addison serve as temporary chairman of the group. Mr. Whitmire previously had been asked to fill this position. This action was approved, it is understood by individual members of the Board of Education.

The board also approved the appointment of Miss Barbara Brown, of Dillard, Ga., to fill the position of assistant home demonstration agent.

The commissioners were informed that the county road committee had been approved by L. Dale Thrash, division highway commissioner and that members of the group had received letters from Mr. Thrash outlining their duties and making suggestions to them.

Mr. Thrash suggested, among other things, that they hold public meetings and discuss the road problems in each of the various townships, name roads, and discuss plans to paint and mark all mail boxes.

IT'S 'MAPLE STREET'

Board Decides 4-Months Old Issue

By Secret Ballot; Vote Is 4 To 2

It's to be "Maple Street", not "Old Georgia Road".

The Franklin board of aldermen, which has had the issue of what name the former Old Georgia road should bear under consideration since last August, reached a verdict in written ballot vote at its meeting Monday night.

The result was announced as two to four.

Since the ballot was secret, it was not known how the individual members voted.

The board last summer gave the street, which leaves U. S. Highway 23 at the residence of John B. Ray and runs north to West Main street, which it intersects at the Leach residence, the name of Maple street.

ACCIDENTALLY KILLS HIMSELF WHILE HUNTING

Think Swain Man Used Gun Butt To Push Son Up Tree

Albert D. Watson, 43-year old mechanic of Bryson City, and brother of Mrs. Merritt Beck, of the Cartoogechaye community, was instantly killed in a deer hunting accident about 11 o'clock Monday morning in the Wayah Gap section of Macon County.

Mr. Watson was killed from the discharge from his own gun, a 30-30 rifle.

His son, Wilbur Watson, 21, the only eye-witness, told investigating officers that he was climbing a tree, at his father's suggestion, in the hope of seeing a deer. He had gotten part-way up the tree, he said, when he heard the discharge, and saw his father's body roll down a bank.

He believes that the older Watson, seeking to give him a push up the tree, used the butt of the rifle to push with, thus turning the barrel toward his breast. How the gun was discharged is not known.

The accident was the first deer-hunting fatality in this county since deer hunts were started here a year ago.

Coroner Lawrence Blaine impaneled a coroner's jury Monday afternoon, which returned a verdict that Mr. Watson's death was accidental.

The accident occurred on the first day of a three-day non-refuge deer hunt in this county conducted under state auspices.

Mr. Watson, his son, and three other Bryson City men had come to this county early Monday morning for the hunt, it was understood. The other three already had been placed at their stands by the elder Mr. Watson, who was said to have been an experienced hunter.

Survivors include his widow, Mrs. Grace Thomas Watson; two sons, Wilbur of Bryson City, and Edwin, of the State of Washington; a daughter, Mrs. Alta Jean Burnett, of Bryson City; three sisters, Mrs. Beck, Mrs. Mamie Rollins, of Selma, Ala., and Mrs. Delia Woodward, of Bryson City; and five brothers, Lafayette, Robert, and Julius, of Bryson City, and Henry and Walter, of Tellico Plains, Tenn.

Garden Club Will Organize; Will Meet Friday Night

A Men of the Church organization for the Franklin Presbyterian church has been formed and the first meeting will be held tomorrow (Friday) evening at 7 p. m., in the church annex. Supper will be served by the Business Women's circle.

At an organization meeting Wednesday evening of last week, E. A. Johnson was elected president, R. R. Gaines vice-president, and C. R. Zachary secretary-treasurer.

Presbyterian Men Organize; Will Meet Friday Night

A Men of the Church organization for the Franklin Presbyterian church has been formed and the first meeting will be held tomorrow (Friday) evening at 7 p. m., in the church annex. Supper will be served by the Business Women's circle.

Chosen for this year's cantata is the Christmas portion of Handel's "Messiah".

The approximately 40-voice choir is under the direction of S. F. (Sammy) Beck, Franklin school band director. Mrs. Henry W. Cabe is organist.

Sanitarian Says Water At 6 Schools 'Unsafe'; Lunchrooms Below Par

The water supplies at six Macon County schools are "in all respects classified as unfit and unsafe for human consumption", and under strict sanitary regulations, three school lunchrooms should be closed, Howard T. Collins, State Board of Health sanitarian stationed here, reported to the county board of education and the county superintendent at Monday's board meeting.

He also reported the sanitary facilities at 10 of the schools that use outdoor privies are unsatisfactory from a health viewpoint.

The six schools with "unfit and unsafe" water are Clark's Chapel, Otter Creek, Union, Kyle, Oak Ridge, and Otto.

At the time the inspections were made, in October, a sample of the Otto water was taken, and an analysis showed it to be contaminated, Mr. Collins said. Since that time, however, he added, he understands the situation at Otto has been remedied. The Franklin, Highlands, and Cullasaja schools have approved water supplies.

The three lunchrooms that should be closed under strict sanitary standards are those at Franklin, Highlands, and Otter Creek.

Describing the lunchrooms as "in bad shape" he said no cafe, operating under the same conditions, would be permitted to stay open.

The worst is Otter Creek, he said, explaining that food is served right next to the gymna-

MAY MEAN NEW COUNTY VOTE ON \$400,000 ISSUE

N. Y. Bond Lawyers Cite Time Limit Legal Technicality

Bond attorneys have indicated they will not approve Macon County's \$400,000 school bond issue, and a new bond election may be necessary, R. S. Jones, county attorney, told the county board of education at its meeting Monday.

Mr. Jones explained he had received this information in a telephone call from the firm of Mitchell and Pershing, New York bond attorneys, Friday.

The difficulty is a legal technicality—the question of whether legislative enactment extending the time during which the bonds might be issued is valid.

Mr. Jones told the board that, by starting at once, it would be possible to hold a new bond election by February 7.

He suggested, however, that the board recess its meeting until December 19 to give him time to search for legal precedents that might convince the bond attorneys they are wrong.

The water supply reports on the six with "unfit and unsafe" supplies said that the Clarke's Chapel school supply is protected well, but is judged unsafe because it must be carried approximately one-fourth mile in open buckets. The Otter Creek supply is "a gravity system piped to the school from an open spring". The Union school supply is a protected well but is judged unsafe because it is poured into an open barrel". At Otto (where

Continued on Page Six

Garden Club Will Sponsor Christmas Decoration Contest

An outdoor Christmas decoration contest will be held here this season, the first such competition in Franklin since before the war.

The Franklin Garden club, at its meeting Monday, decided to sponsor this year's contest, as a part of its community beautification program.

While no cash prizes are being offered, honorable mention will be given the winners.

Judging will be done not later than December 23, so those who wish to enter the contest should have their decorations complete prior to that date, it was said.

Cantata

To Be Presented Here December 18

A Christmas cantata will be presented by members of the choirs of the four Franklin churches at 8 o'clock Sunday evening, December 18, at the Franklin Methodist church.

Chosen for this year's cantata is the Christmas portion of Handel's "Messiah".

The approximately 40-voice choir is under the direction of S. F. (Sammy) Beck, Franklin school band director. Mrs. Henry W. Cabe is organist.

RULE OUT NEW FRANKLIN HIGH

It has been decided it would prove too expensive to remodel the present high school building at Franklin into a gymnasium-auditorium-lunchroom.

County Supt. Guy L. Houk told the county board of education Monday in announcing approval by the State Board of Education of this county's school building program.

While no cash prizes are being offered, honorable mention will be given the winners.

Judging will be done not later than December 23, so those who wish to enter the contest should have their decorations complete prior to that date, it was said.

What actually will be done, however, will depend on the outcome of the problem created by the bond attorneys' indicated disapproval of Macon's \$400,000 school bond issue.

The program, as approved in Raleigh, calls for a new building for a consolidated school at Nantahala to serve the area now served by Otter Creek and Kyle; a new elementary school in East Franklin; and construction of new elementary buildings at Iota, Cartoogechaye, Union, and at Chapel (Franklin Negro), and of a new high and elementary building at Highlands.

In making its recommendations to the state board, the