

MC COY CASES BEFORE COURT

Half a Day Consumed
In Selection
Of Jury

TRIAL IS SLOW

Extension of Court Term
Into Next Week
Likely

Hearing of the cases of W. L. McCoy vs. J. B. Justice et al and W. L. McCoy vs. J. B. Justice, administrator, et al, was begun in Macon Superior court last Friday, and when court recessed late Wednesday it appeared that it would be at least another week before the cases are ready to be presented to the jury.

It took all of Friday morning to select a jury. The plaintiff used four peremptory challenges and the defense counsel used two. Friday afternoon the defense sought a demurrer but later withdrew their motion.

Trial Slow

The trial this far has been slow with considerable argument over technicalities. Only a few of the nearly one hundred witnesses have been called to the stand. It was apparent Wednesday night that it probably would be necessary for Judge W. F. Harding, who is presiding over the August term of superior court, to ask for an extension of the term beyond Saturday with a special judge appointed to continue hearing of the cases.

This trial is an outgrowth of the famous Hyatt-McCoy case in which Perry Hyatt, the plaintiff, obtained a judgment against W. L. McCoy, Franklin attorney, in a damage suit for alienation of his (Hyatt's) wife's affections. Hyatt died while an appeal was pending before the North Carolina supreme court and J. B. Justice was named his administrator. The judgment has been sustained but has never been executed, McCoy having obtained an injunction to prevent its enforcement.

Defendants Listed

Now McCoy is seeking \$85,000 alleged damages from the estate of Perry Hyatt, from J. B. Justice, from Anna Hyatt, widow of Perry Hyatt; from various brothers and sisters of Perry Hyatt and also from George Patton, Judge T. D. Bryson, C. C. Poindexter, attorneys for Hyatt, and from the estate of A. W. Horn, another attorney retained by Hyatt. McCoy charges a conspiracy to ruin his business and a designed plan of defaming his character.

'OUR SUBSTITUTE LIVES' ERVIN'S SERMON SUBJECT

The Rev. G. Clifton Ervin will preach next Sunday morning at the Methodist church on the theme, "Our Substitute Lives." Special music will be rendered by the choir. At the evening hour he will preach on the subject, "The Blessings of Work."

The Epworth League will hold its first regular devotional meeting of the fall months at 7:00 o'clock in the evening. Miss Jean Porter will have charge of the program. All the members of the League and other young people who would like to attend are urged to be present for this service.

The church school will meet as usual at 9:45 a. m. Classes for every age group are conducted in the school.

Dimah
SAYS

Rev. E. R. Eller Arrives To Assume Pastorate of Franklin Baptist Church

The Rev. E. R. Eller, formerly pastor of the First Baptist church of Fort Gaines, Ga., arrived in Franklin Tuesday to become pastor of the Franklin Baptist church.

Rev. Mr. Eller preached here several months ago and shortly afterwards was extended a call to this pastorate, vacant since the Rev. Dr. W. E. Abernethy left here last spring.

Regular services, both morning and evening, will be conducted at the Baptist church next Sunday by Mr. Eller. The Sunday school and B. Y. P. U. will meet as usual.

Mr. Eller served the Fort Gaines church for two years. Prior to

that he was supply pastor for several months at Pellham, Ga., following his graduation from Mercer university in the spring of 1929.

The new Baptist minister is a young man of attractive personality and is a native of this state, having been born at North Wilkesboro. For several years before attending Mercer university he was in the automobile business there. He was married last December at Fort Gaines. His wife was a member of the public schools faculty there for five years.

Mr. and Mrs. Eller will make their home in the Baptist parsonage.

Judge Willis Honored On His 75th Birthday

"The Young Man of the Terrace," otherwise known as Judge J. B. Willis, celebrated his 75th birthday Friday, August 28, at the Willis camp at the foot of Wayah Bald. A dinner was given in honor of the Judge with 20 guests present, among them Mr. and Mrs. A. L. Norris, of Atlanta. Mr. Norris is the manufacturer of the famous Norris candles. Judge Willis, who has difficulty in convincing his friends that he actually is 75 years old, was the spriest person at the dinner.

SENTENCED FOR STARTING FIRE

Temple Tallent Found
Guilty of Setting Fire
To Woods

An anti-climax of the large number of fires that occurred last spring in this county was enacted in the courthouse last Thursday.

Temple Tallent, a Burnington boy, was accused by Ranger Don Young of setting a fire that burned in his section last February. After evidence offered by the Forest Service was heard, the defendant pleaded guilty, with a request for leniency. But Judge Harding realized the damage fire does to the woods and that fire prevention is every citizen's duty.

Despite the fact that Tallent had served 30 days in the Macon county jail before the trial, the culprit was sentenced to 30 days more on the roads, the maximum penalty for the misdemeanor to which he pleaded guilty. The judge expressed regret that the penalty was not six months on the roads so he could send the defendant up for a longer term.

JUDGE HARDING MAKES ADDRESS TO ROTARY CLUB

Judge W. F. Harding, of Charlotte, who is presiding over the August term of Macon county superior court, was a speaker Thursday at the weekly luncheon of the Franklin Rotary club.

Judge Harding deplored the materialistic trend of modern thought and called for closer devotion to the deeper qualities of life.

"The main purpose of life," he said, "is to grow a soul—not to amass fortunes, build fine houses and big banks. These are merely the incidents of life. What we need is to develop finer social, moral, intellectual, religious and business impulses."

R. V. Sisk Gets Large Contract in Charlotte

R. V. Sisk, son of R. D. Sisk, of Franklin, has been awarded a contract for the construction of a \$100,000 cold storage plant in Charlotte, according to a report which recently appeared in the Charlotte Observer.

Young Mr. Sisk, an engineer by profession, has many friends in Franklin, his former home.

The cold storage plant will be erected for the Piedmont Cold Storage Corporation, which operates a number of cold storage warehouses throughout the south. The building, to be three stories

MANY PRESENT AT DEDICATION

Biological Research Center Is Opened At
Highlands

Burnham Standish Colburn, of Biltmore Forest, was elected president of the corporation of the Highlands Museum and Biological laboratory at a meeting in Highlands Saturday afternoon shortly before the ceremonies attending the dedication of the new laboratory named in honor of the late Sam T. Weyman.

Other officers elected Saturday are: W. C. Coker, professor of botany, University of North Carolina, Chapel Hill, vice president; Robert L. Foreman, of Atlanta, Ga., treasurer, and Miss Albertina Staub, of Highlands, secretary.

The old officers are Dr. I. F. Lewis, of the University of Virginia, president, Mr. Colburn, vice president, and Miss Staub, secretary-treasurer.

New Directors

Two new members were added to the board of directors: R. L. Foreman, Atlanta, and Oscar de Lima, of New York.

Four life members were elected: Mrs. Edith Johnson, librarian of Berry school, Rome, Ga.; Tucker and Howell, architects, of Atlanta, Ga.; Oscar Sonorov, of Philadelphia; and Frank B. Cook, of Highlands.

The purpose of the Highlands museum and biological laboratory is to carry on research work in the biological sciences, this region being considered admirably fitted for such studies. A number of the leading universities in the south are institutional members.

200 At Dedication
Around 200 persons attended the dedication exercises which were held in the main lobby of the recently completed Weyman Memorial laboratory. Mr. Colburn, who presided, introduced Clark Foreman, of Atlanta, who thanked all those who had a part in making the building possible. Daniel Nesbit Ewins, of Atlanta, a close friend of Sam T. Weyman, delivered an address on the life and work of Weyman. He said that Weyman was born in 1861 on a ranch near San Antonio, Texas, and died in November, 1928, as a result of an accident near Atlanta. He stated Weyman was a lovable personality, and had a remarkable capacity for making and retaining friends. The speaker described Weyman as a great lover of nature.

The laboratory was named in honor of Weyman upon the suggestion of Clark Williams, of New York, who gave \$1,000 for the erection. (Continued on page four)

DEATH CLAIMS AGED MINISTER

Rev. J. B. Stalcup Dies
After Extended
Illness

FUNERAL HELD HERE

Entered Ministry After
Winning Reputation
As Millwright

Funeral services for the Rev. Jesse Bryson Stalcup, 71, who died last Wednesday afternoon about 4 o'clock at his residence on Tolla street, were held Thursday afternoon at 2:30 o'clock at the Baptist church.

The Rev. R. P. McCracken, pastor of the Clyde Baptist church and a co-worker in the ministry with the deceased, conducted the service, assisted by the Rev. J. A. Flanagan, pastor of the Presbyterian church, the Rev. G. Clifton Ervin, pastor of the Franklin Methodist church and Rev. Mr. Sprinkles, of Weaverville. Interment was in the local cemetery.

Mr. Stalcup had been in delicate health for the past 10 years, having had two severe illnesses. His condition became critical about six weeks ago. Although his suffering was very severe most of the time through all these years, he bore it very patiently, and always greeted his friends with a smile and a word of welcome.

In early life Rev. Mr. Stalcup was a noted millwright, mechanic and carpenter. He installed roller mills in most of the states east of the Mississippi.

The deceased professed faith in Christ in early life and united with the Baptist church. He gave up his former career toward middle years and became a minister of the gospel, devoting the remainder of his life to the service of his Master. He was a member of the Junior Order and also was a Mason. He was buried with Masonic honors.

Survivors

Mr. Stalcup is survived by his widow, who was formerly, Miss Rufus Alice Kelly and seven children: Mrs. J. T. Russell, of Waynesville; Mrs. Harry Crerar, of Victor, Mont.; Mrs. Frank Jones, of Akron, Ohio; Mr. George Stalcup, Mrs. Fred Oliver, Mrs. Paul West, and Mrs. Harry Shepherd, all of Franklin.

The out-of-town relatives and friends here to attend the funeral were: Mr. and Mrs. Clark Kelly, of Jacksonville, Fla.; Mr. and Mrs. Arthur Kelly and family, of Hayesville; Mrs. Mary Allen and Mrs. Ira Allen, of Hazelwood; Mrs. Helen Gountz, Mrs. Raymond Wilson and Messrs S. Carver, D. Underwood and Leon Underwood, of Waynesville, and Mrs. S. E. King, of Murphy.

J. E. Holcombe of Columbus county inquired of his county agent how to grow 50 bushels of corn an acre. He says he will reach the mark from present indications.

More than 400 cans of peaches have been saved at the Moore county home farm in following the live-at-home plan suggested by County Agent E. H. Garrison.

Will Rogers Picks A Story For This Spot

By WILL ROGERS

THERE was a fellow at a lawyer's office complaining that he felt awful low. He was one of the lawyer's customers, so the lawyer listened to him.



"Why, Mr. Wise, that ain't nothing but depression," says the lawyer. "It was that way last week. I got the best little old remedy in the world for it. I went right home and pretended I was sick and got my wife all excited about my health, and she petted me and kissed me and put an ice bag on my head and fussed over me, and I felt fine. Just the best kind of treatment for us babies that think we're grown up."

"By golly, you're right. I think," says the customer. "I'll try it. Where can I find your wife this afternoon?"

Plan Home-Coming Day At Liberty on Sunday

Old folks home-coming day will be celebrated Sunday, September 6, at Liberty Baptist church at the head of Covee, it was announced this week by R. R. Rickman and W. H. Dalton, chairman and secretary, respectively, of the organization which puts on this rally the first Sunday in September each year.

All the residents of the Liberty community, present and former members of the Liberty Baptist church, their relatives and friends are urged to attend the gathering and each is requested to bring a well filled picnic basket.

An appropriate program including singing, speaking and preaching, will be provided. A large attendance is expected.

LOCAL SCHOOLS START MONDAY

List of Faculties for
Ensuing Session
Made Public

The Franklin high school and elementary school will open for the 1931-32 session Monday morning.

There will be four new teachers in the high school—Miss Gillian, Miss McKinnons, Mr. Timmons, and Miss Burch, who previously has taught here for seven years but was not a teacher here last year.

In the elementary school there will be six new teachers—Mrs. Hunter, Miss Moody, Miss Beth Cabe, Mrs. Eaton, Miss March and Miss Rogers, who also has taught here previously but was not on the faculty last year.

Following is a full list of the faculties of both the elementary and high schools:

High school—Principal, G. L. Houk; Miss Wyatt, Miss Gillian; Miss McKinnons, Mr. Timmons; Miss Beam, Mrs. Macon; Mrs. Franks, Mr. Carpenter; Miss Burch, Mr. Meacham.

Elementary school—Mrs. Hudson, Mrs. Hunter; Miss Moody, Miss Young; Miss Calloway, Miss Beth Cabe; Mrs. Eaton, Miss Rogers; Mrs. Williams, Miss March.

Washington Portraits To Be Given Schools

WASHINGTON, Sept. 2—Announcement was made today by Congressman Zebulon Weaver that every schoolroom of every school in his district will, within a few weeks after the opening of the new school term, receive a beautiful portrait-poster of George Washington, executed in colors.

The portrait to be used in these posters is a reproduction of the famous Gilbert Stuart Athenaeum painting and will be 22 inches by 28 inches in size. This poster was selected after a good deal of study, and is considered the finest example of poster-making available.

The poster-pictures featuring George Washington are being distributed by Congressman Weaver in cooperation with the United States Commission of Washington, D. C., in order to stimulate interest among the thousands of school children of his district in the coming nine-months celebration of the Two Hundredth Anniversary of the Birth of the Father of Our Country.

Late summer or early fall is the best time to seed new lawns or renovate old ones. Annual weeds and hot, dry weather are likely to injure lawns seeded in the spring.

Governor Predicts Million Visitors Annually To Park

Chief Executive Estimates Smoky Mountain Project
Income of Western Counties \$25,000,000
To \$50,000,000 Yearly

SPEAKS AT BANQUET IN ASHEVILLE ATTENDED BY 400 BUSINESS LEADERS

Urges All Communities in Western North Carolina
To Cooperate; Pledges State's Aid in
Improving Highway Approaches

Speaking before more than 400 business leaders and public officials from all over Western North Carolina at a banquet in Asheville last Friday night, Governor Gardner described in glowing terms what the Great Smoky Mountains National Park would mean for the state, especially the western section. He predicted that when the park is formally opened to the public it will attract a million visitors annually and add from 25 to 30 millions dollars a year to the income of the 18 western counties.

REPORT FILED BY GRAND JURY

County Institutions Are
Found To Be Well
Managed

Following is a copy of the grand jury's report submitted to Judge W. F. Harding, presiding over Macon superior court, last week by Zeb Angel, foreman:

"We, the Grand Jury of the August Term, 1931, of the Macon County Superior Court submit the following report:

"We have considered all bills sent before us, passed on same and have either marked them as True Bills or not True Bills, except in 4 cases, on which we were not able to locate witnesses. These 4 cases, have been marked continued for lack of evidence.

"We divided into committees and inspected the county home for the poor, the jail, the courthouse and the offices thereon.

"We find the county home for the poor to be kept as comfortable as possible in the present building and that the keeper, R. L. Hall, is conscientious and reliable.

"We find the jail to be in satisfactory condition and the jailor to be doing his duty in protecting the property and interests of this county and to be treating the prisoners in a humane manner. We recommend that sinks be installed in the jail, also an old frame building within a few feet of the jail constituting a fire hazard be removed.

"The ladies' and gentlemen's toilets are in a very unsanitary condition and we recommend that some steps be taken to remedy this condition.

"We find the offices in the courthouse to be in good condition. We find no minors without general or testamentary guardians.

"Respectfully submitted,"

(Signed) "Zeb Angel, Foreman."

Charlotte Newspaperman Visiting Parents Here

Haywood Trotter, a member of reporterial staff of the Charlotte Observer is spending his vacation in Franklin visiting his parents, Mr. and Mrs. John Trotter.

Mr. Trotter is a newspaper man of wide experience. His position with the Charlotte Observer is that of reporting political and court news in the Mecklenburg city.

Freight Rate Cut Saves Gasoline Users \$5,000

Automobile owners and gasoline users of Macon county will be saved approximately \$5,000 a year through a reduction of half a cent in freight rates on gasoline obtained from the Talullah Falls Railway company, according to J. S. Conley, local distributor of Standard Oil products.

Though not generally known, the reduction has been in effect for the past month. It was obtained by Mr. Conley and J. R. Lathan, of Waynesville, district representative of the Standard Oil company, after a series of negotiations with officials of the T. F. and with the Interstate Commerce Commission in Washington.

Some of the gasoline and oil distributors ship to Franklin by truck, instead of by freight, but the reduction in freight rates has brought about lower prices on the gasoline of other companies besides that distributed by the Standard Oil stations in this territory. Mr. Conley said that Standard Oil had given the full benefit of the lower freight rates to the consumers.

Solid Progress

Not content with speaking about the prosperity that the park would bring, the governor discussed general economic conditions, and expressed the opinion that the solid progress which is the immediate prospect for this section is infinitely preferable to the hysteria of the boom days of five years ago.

The governor praised the virtues of hard work, and said that children reared in the present times, when they know that they will have to work, are infinitely better off than those reared in the boom days. He said he spoke as a father who knew of the problems which parents who were trying to

(Continued on page four)