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County GOP Elects Willis



C.N. WILLIS

C.N. Willis of Mars Hill was elected chairman of the Madison County Republican Party during a meeting of the county executive committee Monday night in Marshall.

Willis succeeds Mars Hill businessman Bob Phillips, who resigned the post shortly after being elected in March. Willis was nominated for the county chairmanship by assistant district attorney James Baker. No other nominations were made, and Willis was elected by a unanimous voice vote.

The election of Willis as county chairman created another vacancy on the executive committee. Prior to his elevation as chairman, Willis had served as county treasurer.

Mars Hill attorney Ed Krause was elected to replace Willis as treasurer at Monday's meeting.

Speaking to the eight members present Monday night, Willis said, "I'd rather not be in this position, but I'll do the best I can. I've always enjoyed politics, getting out and talking with people and trying to change some minds. I guess it's in my blood."

Before turning over the duties of treasurer to Krause, Willis made a final financial report to the executive committee. He reported that the

county party organization had \$819.95 in the treasury and that it had no outstanding debts except several ads run by Marshall radio station, WMMH. Willis told the executive board, "We have more money now than I've ever seen at the beginning of a campaign."

The new county chairman urged members of the executive committee to begin planning candidates for next year's elections for clerk of court and tax collector. Willis told the members, "It's time to think about next year's candidates. A lot of people need a good job and there's a couple downstairs that are there for the getting." Later, he added, "If we can get our registration up, we can get some people working here in the courthouse from 8 until 4:30."

Willis and committee member Bill Tisdale praised the efforts of former county chairman Dr. Larry Stern of Mars Hill. Stern conducted the nomination procedure during Monday night's session.

Willis also told the committee that the party will plan to hold several fund-raising dinners in the spring. The new county chairman also reported that vice chairman Mrs. Pat Roberts has been recovering from illness and is expected to resume her party duties next week.

New Rollins Bridge Receives Approval

The Marshall Board of Aldermen met in a special session last Thursday to give approval to a \$496,000 bond issue to fund the town's sewer improvement project.

Under the terms of the resolution passed Thursday, the town will issue the anticipation bonds to provide interim financing for the project which began last week. The anticipation bonds will be sold through the Local Government Commission on Aug. 30. Funds for the sewer project will be available on Sept. 13. The short-term bonds approved Thursday will mature on Jan. 18, 1984. Funding from the Farmers Home Administration will pay off the bonds.

The resolution to approve the interim bond sale was made by town alderman James Penland and seconded by John Dodson. Alderman Jackie Davis was not present

at Thursday's special session.

In other business to come before the board, Harold Conner asked the town for assistance in repairing a broken sewer line near his home on Hill Street. Conner said that sewage coming from the line was entering his property and undermining the foundation of a garage on the property. The board approved having a crew make temporary repairs to the line until the sewer project work can proceed to Hill Street.

The aldermen also gave approval for funding to secure the traffic light on the corner of Main and Bridge Streets. Mayor Lawrence Ponder said that the Rural Electrification Agency (REA) would install an anchor in front of the Story Printing Co. to secure the light. Ponder said that an estimate provided by REA indicated that the cost of the project to the town would be

about \$450. The town must purchase a 35-foot steel beam and concrete to secure the light. REA has agreed to provide the labor on the project.

The board also gave approval, at the recommendation of the mayor, to funding the replacement of the wooden bridge leading into the Rollins community. Ponder said that the town currently has approximately \$14,000 in Powell Street funds from the state available to fund the project. Estimates provided by state engineers stated that the total cost of replacing the bridge would be \$13,830.

Work on the Rollin bridge is not expected to begin for six months because the state has a backlog of projects to complete before work can begin. The project will replace the bridge's current wooden roadbed with one made of steel and will also replace the wooden handrails with steel.

The aldermen also considered a motion to pay the Perry Alexander Construction Co. some \$18,411 for work on N.C. 213 in the Hayes' Run section. Mayor Ponder told the aldermen that the town would be reimbursed by the state from Clean Water funds.

The \$18,411 is the result of additional blasting and repairs the construction company made during the project on N.C. 213.

After some discussion of the matter in which it was revealed that Marshall has only \$38,000 on hand in the general fund, the aldermen decided not to pay Perry Alexander Construction.

Town clerk Shirley Sexton announced that Aug. 19 was the first day for candidates to file for offices in the November municipal elections. Candidates for office have until noon on Sept. 9 to file for the election.

DA Rusher Opposes Discovery Law

By ELIZABETH HUNTER
Tri-City News Journal

The new discovery law, passed by the North Carolina General Assembly in the final days of its session last month, will seriously hamper criminal investigations and prosecutions, Mitchell County Sheriff Coy D. Hollifield and District Attorney Tom Rusher said last week.

Rusher called a press conference last Wednesday in the Yancey County courthouse to review the new law with law enforcement officers and media representatives from the 24th Judicial District. Attending the conference, in addition to Hollifield, were Avery Sheriff Clinton Phillips, Yancey Sheriff Kermit Banks, Watauga Sheriff Red Lyons, Burnsville Police Chief Joe Gillespie and Assistant District Attorney James Baker.

The new law, Rusher said, goes further than laws in any other states of federal rules of discovery in requiring prosecutors to divulge information to individuals charged with crimes.

The new law requires that prosecutors disclose to a defendant any statement he

made to anyone, whether or not that statement will be used against him in court.

Formerly, Rusher said, prosecutors were only required to disclose statements made by the defendant to law enforcement officers or investigators which would be used in the defendant's trial.

District attorneys, sheriffs and chiefs of police across the state are up in arms about the new law, which they say became law so quickly they were not provided with a forum in which to register their objections, Rusher said.

He said the law would hamper investigations because law enforcement officers rely heavily on informants in criminal investigations, and officers fear these sources of information will "dry up" in the face of the new law.

Often, Rusher said, information provided by paid informants or "good citizens" is invaluable in beginning investigations, though often it is not used in an ensuing trial. And though the new law does not require officers to disclose the name of the source of information, Rusher said he thinks it quite possible that a

defendant "could put two and two together" and figure out who made the statement to the police.

Chances are, he said, a defendant will remember who he talked to, and will therefore know the identity of the informant. This could result in the informant's personal safety being endangered, Rusher said.

Rusher said, however, that his office will continue to honor any promises of confidentiality it makes, even if it becomes necessary to dismiss some cases as a result.

Rusher said it is vital, as long as the law is on the books, that the public be well-informed about what it does and does not cover. All four sheriff's agreed that the law is too new for most people to know much about.

Although most of what has been written about the new law has had to do with what Rusher characterized as 'extreme cases,' he predicted it will hinder efforts to solve routine cases as well. Already, he said, law enforcement officers from eastern counties, where drug smuggling is big business, have indicated the law has cut down on the flow of

information from informants.

But Rusher indicated the law will also affect cases such as child abuse, where often-times a wife will tell police about her husband's actions. "You can imagine," he said, "what the result would be if the husband were to learn about those statements."

Hollifield estimated that 75 percent of "the cases we make" are aided by informants, but Banks placed the percentage at close to 100 in "serious crimes. It's not the way it is on TV," he said, "where you start with a spot of blood and thirty minutes later you have them all rounded up in jail."

Rusher said only one section of the new law — the one outlining disclosure — has proved to be controversial. The other two sections, he said, are merely codification of existing law. He said the controversial section was deleted in committee, but was added again from the house floor by Billy Watkins, a representative who is also a defense attorney.

Subsequently, he said, the law sailed through both the Senate and the House, and became law so quickly that

even Gov. Hunt said he could do nothing to stop it. Almost no one voted against its passage, he said.

Rusher said he believes most legislators were led to believe that the law contained nothing but codification of existing law. He said he feels the legislature acted "hastily, but not illegally" in passing the law, and thought he favors its repeal, he would be satisfied with a delay of the effective date until after the legislature can meet again next year to reconsider the measure.

Gov. Hunt will call a special session of the legislature to reconsider the measure. Rusher said, and Speaker Liston Ramsey has appointed a special subcommittee consisting of all attorney members of the house to reconsider the measure. The subcommittee, chaired by Rep. Al Adams, D-Wake, has invited spokesman for the state's district attorneys, sheriffs and chiefs of police to testify before it.

Rusher said one reason the law may have become law so quickly is because, not only were legislators anxious to ad-

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Five Arrested In Drug Raids

SBI Destroys Million Dollar Pot Crop

Agents of the State Bureau of Investigation conducted a series of raids in Madison County on August 16 that netted an estimated \$1 million in marijuana. The raids led to the arrest of five Madison County residents on charges of manufacturing a controlled substance.

Arrested during the Tuesday raid were Varden Royce Cody, 28, of Mars Hill; Avery "Molt" Fender, 62, of

Grapevine; Lionel Filiss, 30, also of Grapevine; and Reuten Payne and his wife, Tilda Norton Payne, of Route 4, Marshall. Fender was also charged with trafficking in controlled substances.

The arrests followed three days of aerial surveillance of marijuana fields in the Lower Creek Walnut sections of the county, according to J.N. Minter, supervisor of the SBI's Asheville office. Minter

said the SBI was assisting Sheriff E.Y. Ponder with the

marijuana arrests because the sheriff is occupied with the continuing investigation into the murders of William and Bonnie Gahagan earlier this month.

Minter reported that the SBI is continuing to fly surveillance aircraft over the county in an effort to identify marijuana fields.

Firefighters Lend Each Other A Hand

By ELIZABETH SQUIRE
Second of Two Articles

Buncombe and Madison County fire fighters are linked by mutual aid agreements between some departments: Marshall and Leicester, for example. Also, the Buncombe County Fire Fighters Association can represent them both.

Mars Hill also belongs. Madison County has no separate fire fighting association. (Marshall belongs to the

Western North Carolina Association).

The Buncombe Association's new 5,000-gallon tanker truck will soon be stationed in Leicester, on call in big emergencies by any member of the association, says Chief Floyd Rickard of Leicester. All members of the North Buncombe Association have mutual aid.

A new drawing of fire responsibility lines by the

Buncombe Association now makes Sandy Mush definitely Leicester's responsibility. The company had been answering calls in the area, says chief Rickard, but technically Sandy Mush had been a no-man's land where fire fighting was concerned.

Leicester, which has two engines, a rescue vehicle, two ambulances and a small brush truck, also answers calls

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Hot Weather And Drought Damaging County Burley Crop

The Madison County burley tobacco crop may be off as much as 50 percent from last year according to county extension agent Wiley DuVall. Reduced tobacco allotments and this summer's record setting heat wave are to blame for the poor crop.

DuVall told The News Record, "It looks bad this year. Right now, it's hard to put a handle on just what we'll have. County-wide, we're off by 30 percent from last year's allotment. All together, we may be off by as much as 50 percent from last year."

According to DuVall, this year's problems started early in the season, with the wet days of May and early June. The lack of substantial rainfall since June has further worsened the problem.

"Ideally, tobacco needs a dry, warm start for root development and rain later on when the plants are maturing.



ROY AMMONS examines tobacco on his farm near Mars Hill.

Tobacco of this size is uncommon in county this year.

This year, we've had just the opposite."

The timing of rainfall is important to the burley crop which accounts for nearly 60 percent of Madison County's agricultural income. "Tobacco doesn't need as much rain as a lot of crops, but it needs it at strategic times," DuVall said. Farmers who are able to irrigate their tobacco fields are doing much better this dry summer than those who cannot bring water to their fields.

DuVall estimates that only 10 percent of Madison County burley farmers have irrigation capabilities.

Despite the bleak outlook for this season's crop, DuVall said a rainy spell in the next few weeks could make a difference. Some burley will still respond well if it gets rain. DuVall said, "If we get some rain in the next couple of weeks, we'll get a second growth and it'll stay in the



BURLEY TOBACCO FARMERS learned of new techniques at Field Day held at Roy Ammons' farm recently.

fields longer." Marshall and the Mars Hill area have been the hardest hit this summer. DuVall reports that many farmers in the Big Pine and Shelton Laurel sections

have received sufficient rainfall and will harvest good crop.

DuVall said that planting tobacco in raised beds might help the problem, possibly

adequate rainfall. The extension service recently conducted a field day at the farm of Roy Ammons to demonstrate new techniques.

Ammons has some of the best tobacco in the county this year, according to DuVall, who works closely with Ammons because, as he says, "Roy's doing a lot of things right."

More than 300 growers attended the field day sessions at the Ammons farm.

DuVall also warns growers to prepare their tobacco carefully before going to market this season. "It's important that people do a good job of preparing their tobacco for market. It was important last year and it may be important again this year. As long as they prepare it and have good growers, they should be O.K."