

# THE WAYNESVILLE MOUNTAINEER

Published Twice-A-Week In The County Seat of Haywood County At The Eastern Entrance Of The Great Smoky Mountains National Park

TODAY'S SMILE

Wife to husband: Of course I spend more than you make, dear, I have confidence in you.

YEAR NO. 98 14 PAGES

Associated Press

WAYNESVILLE, N. C., MONDAY AFTERNOON, NOV. 28, 1955

\$3.50 In Advance In Haywood and Jackson Counties

## Burley Farmers Protest 'Excessive' Charges County Farm Injunction Hearing Here Friday

### Legal Action Is Proposed By Growers

(BULLETIN: A press time County Agent Virgil L. Holloway said that Asheville tobacco warehousemen have refused to meet with Western North Carolina burley growers to discuss additional market charges planned by the warehouses for 1955-56 sales which open tomorrow.

The only recourse to farmers now is to institute legal action, the county agent said.

Frank Davis of Iron Duff, burley grower and former county commissioner, asserted that the additional market charges would deal a severe blow to many Haywood County farmers "who have every penny of their tobacco checks already obligated."

Mr. Davis was to be one of the three committeemen from Haywood County to meet with the warehousemen. The other two were Mr. Kirkpatrick and C. C. Francis of Rattelle Cove, former chairman of county commissioners.

Strong protests are being planned in Haywood and other Western North Carolina burley-producing counties against what has been termed as "excess" charges to be made this season on Asheville tobacco markets.

County burley growers and agriculture officials met this morning at the farm agent's office to discuss the protests and a possible mass meeting of WNC farmers at Asheville this week.

At the meeting this morning, it was decided to have three burley producers from Haywood, Buncombe, Madison and Yancey and possibly other WNC counties meet with warehousemen at Asheville as soon as possible.

Unless the warehouse representatives agree to withdraw the protested charges, it was indicated that tobacco growers may seek a restraining order to prohibit the collection of the market fees in question, or will sue in court to recover any fees which may be paid.

Attorney Lamar Gudger of Asheville opened the meeting here by pointing out that a bill was passed by the North Carolina General Assembly at its last session to prohibit the charging of any other fees by burley tobacco markets except for the 3 1/2 per cent warehouse commission and a 25-cent basket fee.

However, Mr. Gudger said, the state's attorney general recently ruled that the warehouses can increase their fees and market officials plan to do so in the sales which open at Asheville Tuesday.

Planned in addition to the commission and basket fees, the warehouses are expected to charge...

### Burley Tobacco Markets To Open Tuesday Morning

The opening sales of the 1955 season for the Asheville burley tobacco market are scheduled to open tomorrow at 9:30 a.m., Jeter Ramsey, sales supervisor, has reported. Government graders and two sets of buyers have arrived for the sales which are expected to better last year's record, Ramsey said.

Indications are that this year's burley tobacco crop will be of the best quality in several years.

Additional tobacco will be placed today on the floors of the various warehouses in preparation for the sales opening tomorrow.

All warehouses are rapidly being filled with burley tobacco brought in by growers from Western North Carolina counties.

In the revised sales schedule given below, the first figure indicates...

**Highway Record For 1955 In Haywood (TO DATE)**  
Killed . . . . 3 (1954 - 3)  
Injured . . . . 83 (1954 - 56)  
Accidents 168  
Loss . . \$77,830

(This information compiled from records of State Highway Patrol.)



### Judge Patton Scheduled To Hear Case

Judge George B. Patton set Friday, 10 a.m. at the courthouse here, as the time and place to hear the restraining order on the sale of the county home farm. He will also hear, at the same time, a petition from the defendants asking that the plaintiff's bond be raised from \$1,000 to \$25,000.

The question of the bond was set for last Saturday at two o'clock in Franklin, at which time Judge Patton ruled that he had no jurisdiction to hold the hearing outside of the county in which the case originated, Max Cogburn, one of the lawyers for the 108 plaintiffs said today.

Cogburn said that Judge Dan K. Moore, who heard the first restraining order, would perhaps sometime today issue formal order setting the time at 10 a.m. Friday. This is a mere formality, Cogburn said.

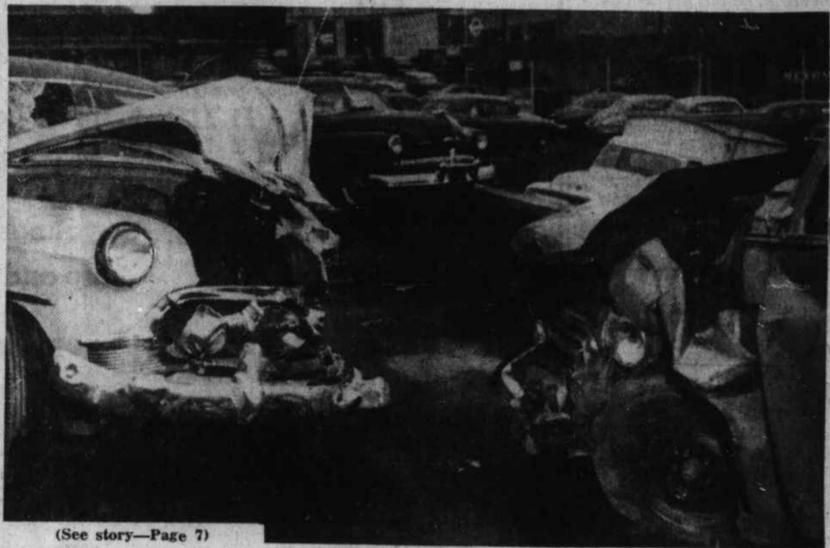
Cogburn also said there were some 80 applications that had been signed by Haywood citizens asking that they be included among the plaintiffs in the restraining order suit. There were 108 signing the complaint, which will mean that 188 names will be listed as plaintiffs when Judge Patton begins the hearing, Cogburn announced. The lawyer went on to explain that, "I have been told there will be considerable more than that number in the next few days."

Ray Haynes was named general chairman of the group opposing the sale of the 140-acre farm when over 300 people met at the Bethel school recently. A steering committee of about 20 were named at the same time, it was announced today.

Grover C. Davis, county attorney, announced last week that a damage suit of perhaps \$25,000 would be brought by the county against the plaintiffs of the restraining order because of the stoppage of the sale on November 9th.

Davis had no statement to make this morning other than to mention the date and hour of the hearing before Judge Patton.

This is the second restraining order issued to stop sale of the county farm. The first injunction was dissolved by Judge Moore, and when the second complaint came up, he transferred it to Judge Patton, explaining he had expressed an opinion after hearing the first complaint.



(See story—Page 7)

FIVE HURT when these two cars hit head-on late Thanksgiving afternoon on the Sorrell's Cove Road, just off Plot Creek. The Chevrolet, left, was damaged \$900 while the Plymouth on the right was damaged \$600. This picture shows

just about how the cars were found by officers when they arrived at the scene. This picture was made after the cars were brought to a garage and later moved to a wrecked car lot.

(Mountaineer Photo.)

## A. Fowler Given 7 To 10 Years In Today's Trial

### Big Crowd Gives Santa Welcome

Santa Claus' pre-Christmas visit to the Waynesville area Friday morning drew the largest crowd here since President Roosevelt's visit in the 30's, according to Chief of Police Orville Noland.

The biggest throng of all converged on the courthouse lawn, where Santa Claus ended his ride on Waynesville's new fire engine by greeting children and throwing candy to the eager youngsters grouped about him.

Santa spent only a brief time here, but left with the promise: "I'll see you Christmas."

The jolly old gentleman first arrived in the mountains via plane at the Asheville-Hendersonville

(See Santa—Page 8)

Algie Fowler, 34-year-old dairy worker, was sentenced seven to ten years by Judge Dan K. Moore shortly after noon today, after the defendant entered a plea of guilty of assault with intent to commit rape.

Judge Moore heard the evidence in the case in his chambers. Attending were the defendant, attorneys in the case, the examining physician and the 13-year-old daughter of the defendant.

No evidence was heard in open court. Attorneys for Fowler said he was drunk at the time, and did not remember what took place. Fowler sat in shirt sleeves, and listened without any signs of emotion.

Judge Moore commented before passing sentence that it was "a pitiful case, and hard to understand. This is another example of what liquor will lead one to do," he explained.

The jurist said it was alarming the break-down in the number of homes, and he felt it was time to start re-building. He made this statement after citing that he heard four cases Saturday in his office in Sylva, all dealing with broken homes.

Several traffic cases were heard this morning, as the second week of the two-week term began.

Friday afternoon Solicitor Bryson took a nol pros with leave and had the cash bonds confiscated in about 70 cases, all were traffic

(See Court—Page 8)

### United Fund Is Now Over \$30,000

The United Fund went above the \$30,000 this morning, according to Mrs. Raymond Caldwell, office manager for the organization.

Mrs. Caldwell said that a list of firms that had made a 100 per cent contribution to the campaign was being compiled and would be published Thursday. She said already 14 firms have made the 100 per cent rating, and she is sure there will be a number of others before Thursday morning.

On Wednesday night the board of directors of the organization will meet in the commissioner's room, 7:30. The meeting is being called by Dr. J. E. Fender, president of the organization, and Dave Felmet, campaign chairman is expected to make a detailed report.

The campaign is raising money for 25 agencies, and has a quota of \$38,841.

### Bob Wilson's Father Dies In Anderson

W. S. Wilson, father of Bob Wilson, manager of the Dixie Store, died unexpectedly at his home in Anderson, S. C. Saturday morning.

Mr. and Mrs. Wilson of Waynesville, are in Anderson for the funeral service.

### Deer Hunter Drowns In Pisgah Pool

Three deer hunters, walking along a steep rock cliff in the Dark Prong area of Pisgah Friday about noon spotted a red object at the bottom of an 8-foot pool.

An investigation revealed it was the traditional hunter's red patch on the jacket of Charles Blain Henson, 17-year-old Bethel junior, who had slipped from the 15-foot falls into the icy waters of the pool.

The hunters found the young (See Henson—Page 7)

## Grand Jury Recommends Investigation Of Sales

### Central School Property Sold Wednesday, 2:30

Square old Central school property will be sold by the Board of Education Wednesday, Nov. 30.

### Mrs. Rogers Wins Final Grid Contest

Mrs. Earl Rogers of Clyde won The Mountaineer's final football contest of the 1955 season by correctly predicting the outcome of 10 of 11 week-end games.

Four other contestants missed only two games, but Mrs. Rogers forecast the exact combined score of the Army-Navy clash — 20 points.

Last week's contest was based on only 11 games since the Texas-Texas A&M game listed was played on Thanksgiving Day — one day before the deadline for contest entries.

A Waynesville woman took Army over Navy and predicted the combined score of the service classic, but lost the football contest by taking Oklahoma A&M over Oklahoma. The Sooners crushed A&M, 53-0.

### County Humane Society Formed Thursday

A humane society formed here Thursday at the courthouse.

Mrs. Elaine Hudson, who has headed up work in this program, will be sponsored by the Waynesville Chamber of Commerce.

Also scheduled at the meeting is the election of a temporary board for the humane group.

The No. 1 current problem of a Haywood County Humane Society, (See Humane Society—Page 2)

### C. R. Francis Dies At 67 In Clyde

Funeral services were held this afternoon at the Clyde Baptist Church for Coman R. Francis, 67, of Clyde, former chairman of the Haywood County Board of Education, who died Saturday morning in an Asheville hospital following a brief illness.

The Rev. J. G. Goodwin and the Rev. George Starr officiated and burial was in Bon-A-Venture Cemetery.

Pallbearers were Carl Gullis, Fulton Roper, C. E. Brown, Jr., (See C. R. Francis—Page 7)



C. R. FRANCIS

### ASC Office Distributing Tobacco Marketing Cards

The Haywood County ASC office is now issuing 1955 burley tobacco marketing cards. A. W. Ferguson, ASC county manager, announced today.

Some 2,000 cards will be distributed this year, and can be picked up at any time, Mr. Ferguson said.

If producers wish, they can call or write the ASC office and have their marketing cards mailed, he added.

Mr. Ferguson urged tobacco growers to check the front of their tobacco cards and to follow instructions carefully. Misuse of cards can bring severe penalties—including court suits, he warned.

The ASC manager also urged farmers to turn in their cards as soon as possible after leaving burley markets.

Cards not turned in may subject producers to cancellation of their tobacco allotment, Mr. Ferguson pointed out.

### Six Days Out Of Jail, Youth Steals 2 Cars, Now In Penitentiary

Curly-headed Charles Amos Hannah, 20, can vouch for the fact that he gets swift court service in Haywood county.

Hannah, of Route One, arrived back in Haywood about a week ago, after spending several months in the jail made famous by song writers—Birmingham.

Wednesday afternoon about dark, Hannah slipped under the wheel of a 1947 Buick at Joe Welch's used car lot and headed for Cherokee. Near the top of Soco Gap the vehicle ran out of gas, and Hannah left the car blocking about half of the road.



BLAIN HENSON

COLDER

Max.	Min.	Fr.
64	51	.46
60	36	...
49	34	.23
55	23	.02
60	26	.01