

THE CLAY COUNTY NEWS

VOL. II. NO. 35.

HAYESVILLE, NORTH CAROLINA FRIDAY, MAY 11, 1928.

5c COPY—\$1.50 PER YEAR

CLAY SUPERIOR COURT STILL IN SESSION

The second week of Clay Superior court convened Monday morning at 9:00 o'clock with Judge John H. Harwood, of Bryson City and Raleigh, as emergency judge, presiding. Judge Roy L. Deal, who presided over the first week went to Asheville to hold court this week. This was Judge Deal's first court in Clay County. He won the admiration of the citizens of Hayesville Clay County through his fair and unbiased method of conducting a court of justice.

Judge Deal and Solicitor Grover C. Davis, cleared the criminal docket pretty thoroughly, it taking until Thursday evening to get through all the cases. The civil docket was taken up Friday morning by Judge Deal and one case was disposed of before he left Saturday.

The following is a part of the criminal docket.

State vs. Bon Berrong and Frank Berrong, violating prohibition laws, Nol Pros. with leave.

State vs. Frank Bell, Willie Henson, public drunkenness, defendants plead not guilty, jury unable to agree, mistrial ordered.

State vs. Marjorie Chambers, reckless driving, defendant being under 16 years of age, case remanded to the Juvenile court of Clay County.

State vs. Jake Ratcliff, Harmon Murphy and Riley Worley, public drunkenness, Worley and Murphy plead guilty, pryer of judgment continue for three years upon payment of the cost. Ratcliff called and failed, judgment nisi, sci, fa. and capias.

State vs. Harmon Murphy, resisting arrest, nol pros. with leave.

State vs. Grady Anderson, burning church continued.

State vs. Lewis Enlow, transporting and possession, defendant pleads not guilty, jury returns verdict of guilty, judgment of the court that defendant be confined to the common jail of Clay County for a period of four months on possession count. Transporting count, defendant to be confined to the common jail of Clay County for 12 months to be assigned to work on roads of any county which the Commissioners see fit to send him.

It appearing to the court that the defendant further executed a chattel mortgage in order to borrow the money to pay cost in the above action, which was paid under a misunderstanding, the court orders said cost refunded and that defendant Lewis Enlow be allowed to give a \$500.00 bond for his surrendering himself to the sheriff of Clay County on the 15th day of July, 1928 for the purpose of beginning his sentence.

State vs. Towery Dowell, possession and transporting, pleads not guilty, jury returns verdict of guilty.

State vs. Ben Posey Lovey Gentry and Boyd Cornwell, transporting defendant Cornwell pleads guilty, it adjudged that he pay a fine of \$25.00 and cost. Defendants Ben Posey and Lovey Gentry plead not guilty. Jury returns verdict of not guilty.

State vs. Gene Bingham, continued.

State vs. Joe Hughes, transporting, continued.

State vs. William McClure, operating auto while intoxicated, continued.

State vs. Clarence Runion, transporting, defendant pleads guilty to possession, judgment suspended upon payment of the cost.

State vs. O. G. Rogers, reckless driving. The court finds that the prosecution in the action was not malicious nor frivolous, the judgment of the justice court is reversed the County to pay one-half the cost.

State vs. Oscar Maney, operating auto while intoxicated. Adjudged that the defendant pay a fine of \$50.00 and cost. Also to be confined in the common jail of Clay

HAYESVILLE MERC. CO. MAKES CHANGE IN THEIR BUSINESS

For the past several weeks carpenters have been busy remodeling the Hayesville Mercantile Store at the railroad, preparatory to receiving the stock of goods which are being moved from the up town store of the Hayesville Mercantile Company. The stock of these two stores will be combined and sold under the sole ownership of F. Herbert. Mr. B. A. McGlamery, acting as general manager of the concern and assisted by his son, Herbert McGlamery.

This business will continue under the present name of the firm, Hayesville Mercantile Company, carrying a large stock of goods consisting of dry goods, groceries, hardware, farming implements and feed stuffs.

ACTS OF COMMISSIONERS

Board of County Commissioners met in regular session on the above date with all members present, and after reading and approving the minutes of the previous meetings proceeded to transact the following business:

Ordered by the Board that the lands owned by W. B. Hogsed, Hiassee Township be and same are hereby declared within the Stock Law Boundary in said Township and that the back fence of the said Hogsed be the designated boundary. Further ordered that said Hogsed be subject to all the provisions of law with respect to live stock running at large within the original district so enclosed.

Ordered by the Board that the following be allowed the amounts opposite their names for the purposes indicated:

Hayesville Auto Co., Gasoline, Oil and parts for County road machine, Caterpillar and truck, \$72.10.

Hayesville Auto Co., Gasoline etc. for County jail, \$2.75.

Holder Bros., Repairs for engine at jail, \$12.51.

Ordered by the Board that Nathan Buchanan, be appointed road overseer over that part of public road from Gap of Mountain at head of Trout Cove to Highway No. 28. All hands residing on said road are assigned to duty thereon. (This is the Greasy Cove Road.)

Ordered by the Board that the order of appointment of Lon Hoffman as road overseer over that part of public road from forks of road at ford of Matlock Creek to Gap of Mountain at head of Lick Log be and same is hereby rescinded and Charlie Melton is appointed overseer with the same orders contained on that of the appointment of Hoffman.

Ordered by the Board that Earl Garrison, be appointed road overseer over that part of road from forks of road at or near Ira W. Moore's residence across the Lick Log Mountain to forks of road at E. W. Kitchens'. All hands residing on said road are assigned to duty thereon.

Ordered by the Board that Herman Smart be appointed road overseer over that part of road from Stock Law gate at residence of Mrs. M. A. Patterson to Lick Log Church and to Highway No. 28 via C. A. Burch residence. All hands residing on said road are assigned to duty thereon.

Ordered by the Board that Neal Scroggs be appointed road overseer over that part of public road from the Fred O. Scroggs old store place to gap of mountain on Rocky Branch. All hands residing thereon are hereby assigned to duty.

Ordered by the Board that Bert Davidson be appointed road overseer over that part of public road

County for a period of 6 months, capias to issue at any time within five years. Not allowed to operate a car for twelve months.

State vs. Dewey Fish, transporting, defendant pleads guilty. It is adjudged by the court that defendant pay a fine of \$25.00 and cost.

POISON ATTACK KILLS A. W. HORN

Funeral For Prominent Franklin Lawyer Was Held on Last Sunday

Franklin, N. C., May 5.—A. W. Horn, 60, prominent Franklin lawyer, died at his home at 1 o'clock this afternoon following an attack of ptomaine poisoning with which he was stricken two days ago.

For more than 30 years Mr. Horn practiced law in Franklin. He was considered one of the most brilliant lawyers in Western North Carolina. His first law partner was John Mann, who died many years ago. He then formed a law partnership with Fred S. Johnston, who passed away about three years ago. At the time of his death, Mr. Horn was senior member of the law firm of Horn and Patton, the latter being mayor of Franklin.

Mr. Horn never aspired to hold political office, but at the insistence of his many friends he ran for the General Assembly four years ago and was elected by a big majority. He always took an active part in civic and church affairs and some years ago organized the Wesley Bible Class for men at the Franklin Methodist church.

Besides his wife, Mr. Horn is survived by two children, Mrs. Boyd Sutton and Mrs. James Perry, both of Decatur, Ga. A son, Victor Horn, was killed in the World War. Two brothers, Ed and Bedford Horn, and one sister, Mrs. Jules Sanders, also survive. Before her marriage, Mrs. Horn was Miss Lucilla Barnard.

Funeral service will be conducted at the Methodist church here at 4 o'clock Sunday afternoon and burial will take place in the new cemetery just west of town. Rev. R. F. Mock will officiate.

BOARD OF EDUCATION IS NOW IN SESSION

The Board of Education for Clay County met in regular session on Monday, May 7th, with all members present, to-wit: Mark Weaver, Harve Patton and W. T. Bumgarner.

The following orders were approved by this Board: Ordered that W. E. Love Audit Co., be employed to audit the school funds for the sum of \$160.00.

Ordered that \$758.49 be borrowed to pay half interest on Elf Building Loan.

There being a petition from Hiassee Township asking for a local tax election not to exceed 40 cents. It was approved.

There being a petition before the Board from Brasstown asking for an election for a local tax not to exceed 50 cents was approved.

Ordered that Oliver Martin be appointed committeeman in Fires Creek school.

from Fred O. Scroggs to T. B. Hampton's. Hampton's old place at forks of road at Rocky Branch.

Ordered by the Board that G. G. Padgett be appointed road overseer over road from Highway No. 28 at Blair Creek Ridge via W. A. Coleman to W. S. Niceley's and extending to residence of Cordie Padgett. All hands thereon are assigned to duty.

Ordered by the Board that C. L. Smith be appointed road overseer over that part of public road from Oak Forest church to State Highway No. 28 via Herbert Farm. All hands residing on said road are assigned to duty thereon.

Ordered by the Board that E. P. Davonport be appointed overseer over that part of road leading into the Jackey Cove Community from forks of road at or near Marshall's Chapel via Penland Mill into said community at Mr. Maney's residence. All hands residing on said road are assigned to duty thereon.

Ordered by Board that Nathan Buchanan, overseer over a certain part of public road in Brasstown Township hereinbefore set out, be and he is hereby ordered to work that part of road which is declared

(Continued on page 4)

TIGER'S CASH STORE TO OPEN SOON FOR BUSINESS UP-TOWN

Mr. R. N. Tiger, manager of the up town store of the Hayesville Mercantile Company, has bought Mr. Frank Herbert's interest in the building to go in business for himself. Mr. Herbert is moving his stock of merchandise from this store to his newly remodeled store at the railroad.

Mr. Tiger will begin remodeling this up town building at once. The store is to be newly painted throughout, new shelves, new show cases will be installed, and the front will be completely changed by the building of up-to-date show windows.

This store will be known as the Tiger Cash Store, carrying a complete and general line of quality merchandise. This business will be run on a strictly cash basis, thereby enabling customers to buy goods at lower prices.

Mr. Tiger will leave next week for St. Louis and other markets to buy supplies for his new business. As soon as remodeling is completed and stock of goods arrive, the store will be open for business.

STOCK ARRIVING FOR BOICE STORE

Operation of Railroad Making Rapid Progress

The large wholesale and retail buildings of C. Boice are now completed and several car loads of goods for stock have been received and are now being placed on the shelves for the opening of his business here.

Mr. Ed S. Miller, former wholesale grocerman of Murphy, has been employed by Mr. Boice as wholesale and retail manager. Mr. James Vaughn, also a merchant of Murphy, will act as Mr. Miller's assistant in these establishments. Mr. K. McGhee, of Bristol, Tenn., will be office assistant.

These men are now working in the stores preparatory to the formal opening of business.

These stores are operated in connection with the Valley River Southern Railroad which is owned by Mr. Boice. The railroad started regular operation in February and is proving a great service to this County and surrounding country. Road building materials, building supplies, feed stuffs, and various other commodities are being shipped daily to Hayesville. Lumber, crossies, telephone and telegraph poles, tan bark, acid wood, hogs and other farm products are being shipped from this section over this railroad. The new coal tipple is now completed and one car load of coal has been unloaded. This coal was brought in for Young Harris College, Young Harris, Ga.

Last December, when rebuilding of this road was started, the workmen could hardly find the old track on account of the heavy growth of briars and bushes. Mr. Boice and Mr. Ellerson are to be commended for the rapid progress of the building of this road, depot, and other buildings in so short a space of time.

OGDEN NEWS

Mr. Herschel Plott and V. G. Groves made a business trip to Hayesville Monday.

Misses Mollie and Mollie Ledford were guests of Misses Oneita and Eloise McClure Sunday.

The farmers of this section would be glad to see the sun shine again.

Mr. Lawrence Anderson of Andrews was a caller of Z. H. McClure last week.

Mrs. Henry Ellis is on the sick list at this writing.

We are glad to say that the measles which have been raging in this community for the past several weeks is almost over.

COMMENCEMENT EXERCISES AT HAYESVILLE

Annual commencement exercises of the Hayesville High School began last Friday evening when the Senior class presented their play, "Sunshine." A large audience was present to enjoy this play which was well acted by each of the players and which did full credit to their coach, Miss Chloe Hearn. The scene was the lawn of Sunshine Sanitarium, where patients suffering from nervousness, mental weakness, and various diseases were treated. The part of Mrs. Sol Whipple, whose nerves were all unstrung and who didn't like the new red headed nurse, was well played by Gene Scroggs. When her pet parrot disappeared, it seemed that it was too much for the nervous old lady but the fatal blow came when Maudelia McCann, played by Carrie Hope Johnston brought in the parrot's cage containing a little kitten telling the old lady that the favorite parrot was inside the kitten. Carrie Hope, the little ten year old mischief maker, added much fun and pleasure throughout the entire program. Ralph Smith, (Mr. Jubba K. Butternip, the old man) who wanted his "tonic" every twenty minutes and who couldn't "bear to be jolted," played his part exceedingly well. Marv, "Sunshine," the head nurse, was played by Miss McGoogan and after Buddie Brady, the ball player (William Scroggs,) met "Sunshine" he was entirely cured of his bashfulness of girls.

On Saturday evening the two Literary Societies, the Lowells and Laniers, contested for the P. T. A. silver loving cup. The contestants were as follows: Lowell Society: Laura Jarrett, McRay Crawford, Virginia Howard, Cline McClure, Genieva Hyatt and Inez Mease. Lanier Society: Bennie McGlamery, Josephine Weaver, Ralph Killian, Reta Hvatt, Burke Gray, Jr., and Bennie Wimpey. The judges decision was in favor of the Lowell Society. The Laniers did exceedingly well and deserve a cup also.

Sunday morning at 11:00 o'clock Rev. F. Rauschenberg, of Asheville preached the baccalaureate sermon which was a most interesting discourse and enjoyed very much. A large audience heard him although there was a heavy downpour of rain all day.

Monday, May 7, at 8:00 p. m. the Senior class day exercises, in three acts, were given a beautiful review of school life and activities which was all original was very much enjoyed.

Tuesday evening at 8:00 o'clock the graduating exercises were held. Song, Alma Mater.

Invocation.

Salutatory, Laura Jarrett.

Theme, If present day civilization of America is to endure, Wiley McGlamery.

Valedictory, Myrtle Silvey.

Class Song.

Literary Address by Dr. R. L. Moore, president of Mars Hill College.

Presentation of diplomas by Principal A. H. Shuler.

Benediction.

DANCE HELD AT NEW BOICE BUILDING FRIDAY EVENING

About fifty young couples enjoyed an old fashioned square dance last Friday evening on the second floor of the new Boice Hardwood Co., retail building, which has just been completed. Parties from Andrews, Murphy and nearby communities were present for this enjoyable occasion. Another group of young people held a dance in this building a few days later. All the young folks enjoyed these dances and appreciate the favor of being allowed the privilege of using this large room which has a splendid floor for dancing.