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## Wants New Trial Or Freedom

### Convicted Slayer Of Sheriff Says Rights Were Violated

Noah Dockery, serving a life sentence in prison for the murder of Cherokee County Sheriff Frank Crawford, claims his constitutional rights were violated and asks either a new trial or his freedom.

Dockery's case heads the calendar scheduled for trial here next Monday as the regular autumn term of Superior Court begins. Judge W. K. McLean of Asheville presiding.

Also scheduled for trial is Floyd Gray, 46, charged with the Sept. 3 shotgun slaying of Tabby Moore, both of Andrews.

Superior Court actually began here almost two weeks ago with a special civil session to hear land disputes between the State Highway Commission and landowners along US-64 between here and the Tennessee line. Judge Lacy Thorneburg presided over the first week and then Judge McLean heard civil cases this week.

Judge McLean will preside over both weeks of the Superior Court session here and the state's cases will be presented by Solicitor Marcellus Buchanan of Sylva. Dockery's petition for a hearing is handwritten on State Department of Corrections prison stationery and some of the words are misspelled. However, several of his points are areas which appeal courts have ruled on recently, changing police and court procedures and overturning convictions.

Dockery specifically says his rights were violated in that he was questioned by officers without his attorney being present, he says the sheriff forced his way into the Dockery house without a search warrant, he claims the testimony of the prosecuting witnesses was false and says he pleaded guilty not because of any crime committed but in fear of risking the death sentence.

### Democrats Urged To Work For Party

"Are you going to get out and work to see a Democratic triumph or are you going to sit?"

December to be held in Murphy or Andrews.

So spoke a Sylva attorney Saturday night to Cherokee County Democrats, challenging them to return to the struggle with vigor, "fighting the Republicans."

Postell said the local supper meeting was not connected to the statewide study under way to reorganize the Democratic Party, but Haire did point out obvious faults in party structure.

The speaker, Phillip Haire, addressed about 50 of the party faithful who came through fog and drizzling rain to attend the supper meeting at the Hiwassee Dam School cafeteria.

"Where are the young people?" Haire asked his audience. "You'll be seeing them in church but they're not here. We have failed to bring in the youth."

County Chairman George Postell, who called the meeting, said there will be others in November or

He noted that a business or a church cannot run by itself and neither can a political party. He charged that some precinct organizations in Western North Carolina have not had a change in leaders or officers in the past 10 years and said such a situation is "stagnant, rusty."

### Chief Warns Pranksters

Chief of Police Pete Stalcup says Halloween night in Murphy will not be marked by pranksters, eggs, talc and stinked cars on the streets.

Haire also chided the Cherokee Democrats for the defeat of Mrs. Mary Faye Brumby, who had introduced him as the supper speaker, by Republican Herman "Bull" West in the elections of last November. He said although Democrats outnumber the GOP two-to-one in the registration books, "You turned a bull loose in the china shop and he went due east," to Raleigh.

Section 7 of the town's garbage ordinance will be strictly enforced, he warns, carrying a penalty of \$50 or 30 days in jail.

He also scolded local Democrats about the presence of three Republicans on the board of county commissioners. "What's wrong with you?" he asked. "You've let a bunch of them in the courthouse - and that's the worst place to have them."

"In years past they've raised hell around here," he said. "These are not little kids but big boys, in the 17 to 25 age bracket. They've thrown eggs at people on the streets and brown bags of talc and even dragged up old junked cars to block the streets."

The Democrats fight too much among themselves, he said, and should forget their party squabbles and unite against the Republicans.

Chief Stalcup says on Friday night he will have all officers on duty, assisted by a number of merchants he will deputize for duty that night.

### Shotgunner Blasts Home Of Deputy

A shotgun blast early Sunday morning blew out the window of a Cherokee County deputy sheriff - state and county law enforcement officers are investigating.

Sheriff Frank Crawford went to the Dockery home in the Hanging Dog section on the afternoon of March 3, 1953, with an arson warrant to serve on Noah Dockery. The sheriff was found dead near his car in front of the Dockery house and investigating officers said he had been struck in the heart by the full load from a 12-gauge shotgun.

Deputy Virgil Hogsed, who works part-time for the County Sheriff's Department, said a shotgun blast early Sunday morning took out a large, plate glass window in his home in the Wolf Creek section.

Dockery, who was 45 at the time of the shooting, was tried in Murphy by jurors called from Macon County and was found guilty of murder and sentenced to die in the gas chamber. The North Carolina Supreme Court later ruled that a special prosecutor in the case had made improper remarks to the jury and ordered a new trial.

Hogsed, his wife and two children were sleeping in the house at the time of the shooting. They were not injured.

At his second trial, in November of 1953, Dockery pleaded guilty to murder in the first degree and was sentenced to life in prison.



Community Contest Winners

Tom Gentry, left, secretary of the United Fund, presented 1969 awards to the winners of Cherokee County Community Development Contest Saturday night to (L-R) J.D. Decker, president of the Tomotla Community Development Club; Miss Bessie Carter,

president of Texana Club; Mrs. Lloyd Hendrix, member of Peachtree Club; Jack Palmer, president of Marble Club; Debra Keener and Lynn Loudermilk, youth representatives of the Tomotla Club. (Staff photo)

### Development Winners Announced

## Tomotla Tops Among Communities

Cherokee County community development clubs sent representatives to a supper meeting at Odell's Restaurant on Saturday night and they all received awards for 1969.

Tomotla Community also won in the Youth division, for a prize of \$25. The awards are sponsored by the United Fund and were presented by Tom Gentry, secretary of the United Fund.

Earley noted that this year in the Western North Carolina competition, which includes 18 counties, communities are divided according to size for

judging. Division A is for communities of less than 75 families, Division B is for 75 to 150 families and Division C is for communities over 150 families, including towns and villages.

Tomotla is the largest community in the county, with 150 families.

As County Extension Chairman Jack Earley explained it, there are presently eight community clubs in the county, but Bellview and Violet were organized too late for this year's judging so that leaves six. Happy Top was not judged for the contest and that leaves five.

Tomotla took the first place money of \$100, Texana came in second for \$75, and Peachtree was third for \$65. Honorable Mention awards of \$25 were given to Marble and Unaka.

The Cherokee communities are lumped together for judging in the county contest, Earley said, but will enter the WNC contest as full county

winners - Peachtree in the competition for large communities, Tomotla as the middle-sized Cherokee winner and Texana in the judging for the small communities.

Frank Sudderth, president of the Community Development Council, presided at the meeting and Charlotte Oliver, Miss Cherokee County for 1969, provided entertainment. Speakers were Vincent Crisp and Joe Morrow of Tri-County Tech.

### Open Letter

## Mayor Urges Passage Of Sales Tax

(This is the last of a series of articles by Mayor Cloe Moore concerning the statewide county option sales tax vote on Nov. 4th.)

The first question you might ask, is this a new and additional tax? It could be classed as a new source of revenue, but definitely not additional. Instead, it would help to take some of the burden off the overworked property tax and the burdened property owner.

The Cherokee County Board of Commissioners passed a resolution at their September meeting favoring and supporting this levy. All members voting for except one. The Murphy governing body passed a resolution favoring this levy also. Last week I went to the Civitan Club meeting and explained this program and they also adopted a resolution supporting this program.

purchase, whether it be a lubrication job on the family vehicle or the dog vaccinated or a movie theatre ticket increase. If even only a five cent increase per ticket, this would cost this couple with three children 25 cents more each time to go to the movie.

Another question you might have in mind is, if we just maintain the present level of revenue, won't our services stay about the same? No, they definitely will not. With the increase of operating expense continually climbing the services would be forced to lessen each year.

On this second item the large, populated counties like Buncombe, Mecklenburg and many other large counties say the smaller counties would be stealing their tax revenue.

When we discuss local government revenues and expenses, I think we have a tendency to forget the past bond issues that have been voted and passed and have to be paid. When the budget is being made up each year this is one of the first items that goes into the budget, the amount that has to be paid on bonds that particular year.

Suppose our county does not vote "yes" on this option tax levy even though 75 other counties did, we could not receive a penny of this revenue. According to figures compiled by the tax research bureau based on this last fiscal year, July, 1968 through June 30, 1969, if all 100 counties in the state voted yes for this measure, Cherokee county's share of this collection would be \$155,835.00. Murphy \$26,405, and Andrews \$14,491.00. This would make a grant total of \$196,781.00 being returned to local governments within the boundary of Cherokee County.

On this second item the large, populated counties like Buncombe, Mecklenburg and many other large counties say the smaller counties would be stealing their tax revenue.

This means that an ad valorem tax increase would effect any type of professional service or products that this same family would need to

I hope you will think about this and go to the polls on Nov. 4 and vote YES for the local town and county sales tax option levy.

The revenue will be broken down in two segments. The

Suppose our county does not vote "yes" on this option tax levy even though 75 other counties did, we could not receive a penny of this revenue.

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### Blairsville To Host Governor

The governor of Georgia will be in Blairsville, Ga., on Friday night to dedicate a new football stadium.

Gov. Lester Maddox will dedicate the new stadium at the high school to the memory of the late "Little Mike" Colwell, in a speech beginning at 7:30 p.m. prior to the game with Hayesville.

The governor's appearance will be preceded by a dinner, beginning at 5:30 p.m. in the old lunchroom, sponsored by the Blairsville Quarterback Club. Proceeds from the dinner will be used to finish construction of the stadium.

The candidates, left to right, are Billy Adams and Janice Owens, Seventh Grade; Kenny Hall and Karen Morris, Eighth Grade; Tony Dockery and Betty Edwards, Freshmen; Peggy Martin and Ricky Jo Stiles, Sophomores; Gail Postell and Johnny Foster, Juniors; Betty Roberts and Johnny Mason, Seniors. (Staff Photo)



Candidates For Halloween King And Queen

These are the candidates for a Halloween King and Queen, to be crowned Thursday night at the Murphy PTA's carnival at the Rock Gym. The carnival, featuring a host of games and booths, will last from 6 until 10 p.m. Two local bands will furnish music throughout the evening and food will be available, hot dogs, popcorn and drinks.

The candidates, left to right, are Billy Adams and Janice Owens, Seventh Grade; Kenny Hall and Karen Morris, Eighth Grade; Tony Dockery and Betty Edwards, Freshmen; Peggy Martin and Ricky Jo Stiles, Sophomores; Gail Postell and Johnny Foster, Juniors; Betty Roberts and Johnny Mason, Seniors. (Staff Photo)

## Housing Authority Buys Land For Projects

The Murphy Housing Authority exercised its options Friday, buying land for public housing projects.

About six acres on Park Avenue, adjacent to the Ri moo plant, will be the site for 30 units of low-rent public housing. The land was purchased from the Cherokee County Development Corp. The other purchase was the old Maples property on Haywood Street, bought from Leonard and Edith Ramsey of Murphy. This will be the site of 10 units of low-rent housing for the elderly. Contract for the housing projects are expected to be let about the first of the year.