

# Stacks Will Drop His Appeal In Hunsucker Death Case

## BIG CASE SET FOR HEAT

### Planners May Turn Attention To City, County Merger

#### Defendant Will Accept Sentence Of Lower Court

#### Appeal Docketed For Tomorrow

By TOM WATKINS  
Charlotte News Staff Writer

Attorneys for S. P. Stacks, under a 15-to-20 year penitentiary sentence for the slaying of Troy Hunsucker, said today they would not press Stacks' appeal before the State Supreme Court and that Stacks would accept the judgment of the lower court.

County Superior Court is scheduled to be heard tomorrow morning in Raleigh, but today's announcement by the defendant's lawyers means the Supreme Court will promptly dismiss the appeal when the case is called.

Stacks will begin serving his long sentence in January.

Attorney for Stacks, Guy C. Blythe, said today that the appeal was finally agreed upon because Stacks had no money to pay the cost of the appeal. The defendant's counsel contained no reversible errors upon which a new trial could be had.

"Therefore," the attorneys said, "while the case is docketed and ready for argument tomorrow when the case is called, it will not be argued and the appeal will be dismissed and the judgment of the lower court will become effective."

In cases on appeal to the state's highest court, it was pointed out, only errors of law are taken into consideration.

**SURPRISE**  
This last-minute action came as a surprise to the followers of the sensational murder case since it was known that it was on the Supreme Court docket for disposition tomorrow.

The court during the morning was scheduled to hear one or two other appeals, all of minor nature, and the Stacks case would ordinarily have been argued during the morning hours.

The decision of the attorneys means that they will not make an attempt to delay the case until the case is heard, occurred in the decision.

Although no official confirmation was forthcoming today, it is generally assumed that the case will be argued tomorrow and the attorneys will seek a reprieve for their client based, to a large extent, upon conflicting testimony given during trial of the case.

The Stacks case was one of the hottest cases in the state for some time in many years. The defendant is a former convict, and at the time of the killing of Hunsucker, was a police detective at the Hotel Barringer.

Hunsucker was night manager of the hotel and was shot to death at about half a block from the hotel. Stacks had an altercation with Hunsucker in the bar on the night of the killing in Oct., 1945, and shot the garage manager.

Stacks was charged with first-degree murder and was sentenced to 15 to 20 years in the state penitentiary.

**Report On City Limits Is Approved**  
**Is Approved**  
**Probable Projects Are Discussed**

Charlotte News Staff Writer

Possibility of a study of consolidation of City and County Governments by the Charlotte Planning Board developed yesterday afternoon's session of the Board.

With its report to the City Council on extension of the city limits completed, the Board gave attention to probable projects that might next be investigated and Beaumont Whitton suggested the proposed consolidation of the city and county governments, referring to the recent series on this important subject in "The News."

Chairman Frank Thies, who had suggested the parking problem as the No. 1 project, asked his colleagues to give thought to various undertakings and be ready to discuss them at the Board's next meeting Nov. 25.

**BIG PROBLEM**  
Mr. Thies in discussing the need for doing something about on-street parking, said that this problem is vexing other American cities some of which have already done something about it. Copies of surveys and letters on the subject have been received by Mr. C. C. Duncan.

Mr. Thies also suggested the possibility of a study to unblock downtown Charlotte by the elimination of grade crossings and he threw out the idea about parking construction of a union railroad station. Adoption of regulations banning over-hanging store signs and promotion of a citywide program of supervised parking of trees and flower shrubs were also informally suggested.

**REPORT APPROVED**  
Final action of approval was placed on the city limits extension report, which had been prepared by the Board's Planning Committee. The report goes to the City Council with the recommendation that an election be held Nov. 4, 1947, to extend the city limits to the city of Charlotte.

The report also calls for the election of a new city manager and the City Council and the Board of City Commissioners to call any new problem about minorities because the residents of the area are principally farm folk and are not concentrated. That was the reason, he added, that the Dutch declined to claim any of the city.

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#### Today's Elections At A Glance

By ASSOCIATED PRESS

Senate, House and Governor seats at stake in today's voting: 500, divided as follows:

Senate ..... 35  
House ..... 62  
Governor ..... 33

Candidates running for these offices total 1,965, as follows:

Senate ..... 97  
House ..... 280  
Governor ..... 88

Potential voters (persons over 21) this year, around 92,000,000

Margin of women over men over 21 1,171,748

Estimated eligible to vote 92,000,000

Estimate of probable vote 35,521,330

#### For War Damage

#### German Territory Asked By Holland

WASHINGTON—(AP)—The Netherlands today asked the Big Four nations to hand over 700 square miles of German territory to compensate Holland for damage inflicted on its economy by the Nazis.

The Netherlands Ambassador, Alexander Lunden, delivered the note containing the request in a call on the State Department.

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#### Record Off-Year Ballot Turnout Is Indicated

By ASSOCIATED PRESS

Brisk and early voting in the big cities set a pace for the national Congressional elections today that indicated a record off-year turnout.

From New York to Salt Lake City, heavy voting in metropolitan areas piled up the prospect of more than 100,000 ballots in the first post-mortem general elections in six years.

**FIRST RETURNS**  
Early balloting started something to cheer in the initial first returns as the counting of the votes for the Congress began.

Mount Washington, in the Berkshire Hills of Massachusetts, saw an early start in the gain over two years ago in the Congressional elections.

Kansas City, Mo., reported an early start in the gain over two years ago in the Congressional elections.

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#### Head Into Trieste Row

NEW YORK—(AP)—Foreign diplomats engaged in the gigantic task of building world peace kept a sharp but discreetly silent watch on the American Congressional elections today.

Persons familiar with the views of many delegations to the United Nations Assembly and the Council of Foreign Ministers reported a general belief that present foreign policies are sufficiently bi-partisan to rule out any major changes. But there has been enough political controversy over the present American attitude toward Russia in particular to raise speculation about post-election trends in the conduct of American diplomacy.

The Big Four Foreign Ministers moved into their second day's work on the eastern Europe peace treaty amid mounting evidence that Russian Foreign Minister Molotov will stage a last ditch fight to gain special advantages for Yugoslavia at the Adriatic port of Trieste.

Molotov, Secretary of State Byrnes and British Foreign Secretary Bevin met at yesterday's opening session, over which Byrnes presided.

Initial routines were quickly dispensed with. The Big Four decided to take up the Italian peace treaty first and then, in order, treaties with Romania, Bulgaria, Hungary and Poland.

**TRIESTE ISSUE RAISED**  
Discussion had hardly begun on the Italian treaty yesterday when the Trieste issue was raised, causing a split between Russia and the western powers.

The Foreign Ministers agreed to hear arguments from Yugoslavia and Italy over the kind of United Nations government that should be set up over the strategic port city. Molotov proposed that Yugoslavia be permitted to discuss also the question of frontiers for the Trieste area.

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#### Spanish Leftists Blamed In Blasts

MADRID—(AP)—Spanish Leftists were blamed today for 14 bomb blasts before Madrid food stores were closed yesterday.

The blasts were described as a "month of agitation" designed by Leftists to coincide with the discussion of Spanish problems by the United Nations.

A semi-official source said that more than 300 people were arrested in the last 24 hours during police raids included in the entire country.

The Spanish Communist Party is the largest of the Spanish Communist Party.

#### Middle Atlantic Races

#### Mead And Dewey In N. Y. Battle

NEW YORK—(AP)—Nationwide political interest was focused today on the New York State gubernatorial contest where Republican-Democratic issues were drawn clearly between Gov. Thomas E. Dewey and U. S. Senator James M. Mead, an ardent New Dealer.

The voters' decision in the Empire State, impartial observers believe, might well set the pitch of political overtones in the other Middle Atlantic states.

In these predominantly industrial states, containing about one-fourth of the national population, voters now are represented in the House of Representatives by 46 Democrats and 35 Republicans. Today they choose for 108 House and six Senate seats in Washington.

If Dewey wins heavily in New York, observers feel he might carry the entire Republican state ticket, thereby marking himself as a front runner for the 1948 Presidential nomination.

**MEAD ATTACKS**  
His adversary, Mead, whom his backers pick to win by a narrow margin, has declared Dewey thinks "he has a rendezvous with destiny."

Dewey used the Truman Administration as a whipping post throughout his campaign. Mead, supported by the American Labor and Liberal Parties, has attacked Dewey as a "fascist."

Some Democrats believe their candidate for the U. S. Senate, Alexander Smith, a 65-year-old former Princeton professor and lawyer, has emphasized what he terms a "liberal" record against George Washington.

To reports of Presidential ambitions, Mead replied that he hoped to complete four years as Governor. "I hope so," he said.

The New Jersey gubernatorial race is between Lewis G. Hansen, 44, choice of Mayor Frank Hague of Jersey City, and Alfred E. Driscoll, 44, Republican Alcoholic Beverage Control Commissioner.

National and state issues are merged in Pennsylvania, long a Republican stronghold, which have-

#### Mercury Climbs

DENVER—(AP)—A warm, bright sun cut into the drifts of a three-day blizzard throughout eastern Colorado today as the state struggled to return to normal life and movement.

From freezing temperatures which dipped to six degrees in mountainous Leadville and nine in Denver last night, the thermometer began climbing to unexpected highs of 35 degrees in the mountains and 45 to 55 on the plains.

The Weather Bureau said the storm, which left eight dead, was wearing itself out in northern New Mexico. Fair weather was predicted for tomorrow.

Denver workers to clear runways at Stapleton Airport in snowbound Denver. The snow was blowing off the highways but making little effort to maintain safety. Most train movement was back to normal.

Some Denver business resumption was slow. Schools were closed today. Denver schools were closed tomorrow after being closed today.

The State Highway Patrol reported all main roads open except Route 100 into New Mexico and U. S. 24 east and west from Colorado Springs. Road gangs worked to clear blocked rural roads.

Of the eight deaths reported, four occurred in Denver when persons attempted to start cars stalled in deep drifts.

In the midst of the storm, two boys were born to a Denver woman whose physician could not arrive because of the weather. Her husband died at the birth.

There were heavy spots in the storm, since watersheds received a heavy snowfall. The West-ern Sugar Company said about 15 percent of the beet crop has been lost in the Colorado and Idaho areas where the crop still is in the ground but were safe unless a prolonged cold snap set in.

#### Heavy Fog Over Britain

LONDON—(AP)—The heaviest fog of the season blanketed southern England and Ireland today, disrupting air services and interrupting surface transport. In some parts of London and the Thames estuary, visibility was limited to two yards.

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#### European Site Urged

LAKE SUCCESS, N. Y.—(AP)—White Russia, in a sharp attack on official American hostility, asked the United Nations today to consider a European site for permanent or temporary headquarters and particularly mentioned the old League of Nations capital in Geneva.

White Russia's proposal was filed with Secretary-General Trygve Lie under a Nov. 4 date after the midnight Saturday deadline for submission of new items to the agenda of the General Assembly.

It turned it over to the Assembly's Steering Committee which will meet to take up a United States proposal to reopen the site question to include only New York and the San Francisco Bay area along with the surveyed areas in the Westchester County Suburbs of New York.

**HOUSING TROUBLES**  
The White Russian resolution mentioned difficulties of housing and office accommodations in the New York area, shortage of transportation, trouble encountered in maintaining liaison and the great budgetary expenses of maintaining headquarters in New York.

It remarked on the failure of the U. N. to conclude a convention on the "privileges and immunities of the United Nations organization" with the Government of the United States.

On that prime issue, Republicans confidently predicted the Democrats would be swept out of power in the election where they have the upper hand in both Houses.

**DEMOCRATIC POSITION**  
Democrats, generally fighting a defensive battle against GOP attacks, saw no hindrance to their version problems, conceded they may suffer some losses. But they contended the Democrats have the machinery in their grasp. They apparently were more confident of their position than the Republicans in control of the House in 1946.

Republicans need a gain of 10 seats to win control of the Senate and 20 to take over the House. The Democrats need a gain of 10 seats in the House and 20 in the Senate to win control of the House.

The possibility of a divided Congress, which the GOP would like, would mean a divided Congress and the Democrats keeping the Senate, already had started to block any Administration move to call for the possibility of a special election immediately after the election.

But one responsible Democratic leader, who asked not to be named, said President Truman