

THE FRANKLIN TIMES

A. F. JOHNSON, Editor and Manager

One Year \$1.50
 Eight Months 1.00
 Six Months75
 Four Months50

Foreign Advertising Representative
 THE AMERICAN PRESS ASSOCIATION

Entered at the Post Office at Louisburg, N. C., as second class matter.

Louisburg has plenty people who would make good officials.

Some are suggesting Mr. W. Henry Macon for Mayor of Louisburg.

The Town Commissioners should call a primary at their meeting tonight.

And its the first of April and no one has announced himself for any town office. What's the trouble?

The present Board of Trustees of Louisburg Graded School have another opportunity to do their duty by the children of the district. Its to be hoped that not a single member of the Board will oppose the construction of the new school.

There are some things in this life that the ends justify the means. A child can't be worth as much to himself and his community uneducated as he can with a good education. Lets educate the children in a respectable building that will protect their health as well as their minds.

Mr. W. M. Person is to be congratulated on his position in his recent tax suit. Lets hope he will win. The real and personal property is being called on for too much tax in comparison to that paid by stocks and bonds. And the most unreasonable of all actions was the recent legislature exempting stock in foreign corporations. This is one thing we won't be able to apologize for.

TEST STOCK EXEMPTION LAW

MR. W. M. PERSON AND DR. R. E. WILLIAMS MAKE COMPLAINTS

Case to be Heard In Warrenton Before Judge John H. Kerr, On Saturday, April 23, 1923.

Mr. W. M. Person, who won a State wide reputation in his recent tax suit looking to having the law exempting stocks and bonds from taxation declared unconstitutional, which was decided against him, has sprung another sensation by having entered suit against the Revenue Commissioner of North Carolina to have all foreign stocks taxed and the law passed by the last legislature, exempting these stocks from taxation declared unconstitutional. The temporary restraining order has already been signed and Saturday, April 28th, 1923, selected as the day for hearing of the question looking to a permanent order which will be heard at Warrenton before Judge John H. Kerr. This case is attracting quite a wide attention and will no doubt be watched with much interest. The complaint of Mr. Person and his associate, Dr. R. E. Williams, follows:

ORDER OF JUDGE North Carolina, Warren County—In Superior Court.
 W. M. Person, a taxpayer in Warren County, N. C., and also Dr. R. E. Williams, a taxpayer of Warren County, N. C., for themselves and the other taxpayers of Warren County and the State of North Carolina

vs.
 R. A. Doughton, Revenue Commissioner.

The plaintiffs complaining of the defendant above named say and allege:

1. That the plaintiff W. M. Person is a resident of Franklin County, N. C., and that Dr. R. E. Williams is a resident and taxpayer in Warren County, N. C.

2. That the defendant is the duly appointed Revenue Commissioner for the State of North Carolina and under the provisions of the law of North Carolina has power, authority and general supervision of the system of taxation throughout the State, and to have and to exercise general supervision over the administration of all assessments and tax laws, over all County, Township and City Tax assessors and Boards of Equalization, to the end that all assessments of property, real, personal and mixed, be made relatively just and uniform and at its true value in money; to require all County, Township and City Assessors, Boards of Equalization, and levy and assessment officers, under penalty of forfeiture and removal from office, such assessors and boards to list and assess all property of every kind and character at its true value in money.

That Article 5, Section 3, of the Constitution provides that Laws

shall all moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise, and all real and personal property, according to its true value in money.

4. That under the law, and according to the power and direction of the Constitution as above set out, it is the defendant's duty to have listed in the various counties of North Carolina, for purposes of taxation, all moneys, credits, investments in bonds, stocks, joint stock companies or otherwise, and all real and personal property according to its true value in money.

5. It has long been the settled law of North Carolina that the individual stockholders of Foreign Corporations should list and pay ad valorem tax upon said stock and bonds as upon other personal property, which question was settled in the case of Brown vs Jackson, 179 N. C., Page 63, and that stockholders in Foreign Corporations, unless it appear that two thirds in the value of entire property is situated and taxed in this State, and that said corporation pays a franchise tax on its entire issued and outstanding capital stock at the same rate paid by domestic corporations.

6. The Supreme Court held in Person vs Watts in decision handed down in December 1922 that stocks in domestic corporations were not subject to taxation and that the exempting statutes of North Carolina since 1887 were constitutional and did not conflict with Article 5, Section 3, of the State Constitution.

7. That Article 5, Section 5, provides Property Exempt from Taxation. Property belonging to the State or to municipal corporations shall be exempt from taxation. The General Assembly may exempt cemeteries and property held for educational, scientific, literary, charitable, or religious purposes; also, wearing apparel, arms for muster, household and kitchen furniture, the mechanical and agricultural implements of mechanics and farmers; libraries and scientific instruments, or any other personal property to a value not exceeding three hundred dollars.

8. That the General Assembly of North Carolina ratified an act, H. B. 456, S. B. 1003, on March 3, 1923, at the end of Section 4 of act—after the clause exempting from taxation the stocks in domestic corporations which had recently been declared constitutional by the Supreme Court of North Carolina by a divided court in Person versus Watts, Revenue Commissioner, in the following words, "Nor shall any individual stockholder of any foreign corporation be required to list to pay taxes on any share of its capital stock in this State, and the situs of such shares of stock in Foreign Corporations owned by residents of this State, for the purposes of this Act is hereby declared to be at the place where said corporation undertakes and carries on its principal business."

9. The plaintiffs herein aver and allege that it ought to be the settled policy of the State to insist that every dollar of its wealth should bear its proportionate share of the burdens of government the letter and the spirit of our State Constitution declare in unmistakable terms that there should be no property exempt from taxation except that mentioned and named in Article 5, Section 5, quoted in Paragraph 7 of this petition and that said exempting enactment is unlawful, unconstitutional, null and void, contrary to public policy, unjust and inequitable.

10. That the owners of stocks and bonds in all domestic corporations in North Carolina, and or foreign corporations if two-thirds of their property situate and pay tax in North Carolina, escape all taxation according to the decision in Person versus Watts, and the same privileged influence through their legislative control, regardless of all rules of right and justice, and the plain mandates of the State Constitution, wrote and had enacted said statute which released from taxation every share of stock in every corporation, and places the whole burden of government upon those who own no stocks, but on the tillers of the soil and the owners of the real estate and personal property in North Carolina.

11. That as a result of said camouflage, fraud, and the enactment of this and other exempting statutes, the owners of fifty-five per cent of the wealth of North Carolina pay three per cent of the taxes of the State, and the owners of forty-five per cent of the wealth, pay ninety-seven per cent of the taxes and the burdens of government—all of which is unjust, unlawful, unconstitutional, contrary to public policy and inequitable.

12. That there was listed for taxation in North Carolina for the year 1922 \$18,000,000 in stocks in foreign corporations and the plaintiffs aver and allege on information and belief that the amount owned by the stockholders in North Carolina are many times more than this amount; that the pretext and pretense for the enactment of this statute were that it would be an incentive and invitation for rich men living in other States to come to North Carolina to live tax free.

13. That said enactment is violative of those clauses of the Constitution of the United States and the State of North Carolina which forbid class legislation, and also the equality and uniformity clauses of both constitutions, and should be declared unconstitutional and null and void on these grounds.

14. These plaintiffs aver and allege that as a result of the studied efforts of stockholders to escape all taxation on their investments in stocks, and their success in having written into the statute laws of North Carolina statutes exempting from taxation all their stocks, contributing nothing to the burdens of our government, either State, County, District or Municipal, contributing nothing to the support of our great educational system, good roads and the bonded indebtedness of the County, Township, District and Municipal corporations, all of which is unlawful, unconstitutional, contrary to public policy, un-

just and inequitable.

15. That by reason of the aforesaid unconstitutional discrimination against the farming classes of the State, by placing all the taxes on the rural homesteaders, the town and city dwellers and the farm lands of the State, the valuation of which has been increased many times its market or selling value, with little or no decrease in its rates, until the taxes assessed against the above classes have become confiscatory to such an extent that the taxpayers are rapidly becoming bankrupt.

16. These plaintiffs aver and allege that if all the wealth and property of the State were placed on the tax books so as to bear its equal burden of government, then the taxation of the visible property of the State would be decreased pro tanto, and the same amount raised for the purpose of maintaining the great institutions of the State.

17. That it is the duty of the defendant Revenue Commissioner to have listed on the tax book of the State the stocks owned by the citizens of North Carolina in foreign corporations. That said defendant has ruled that the dividends from stock in foreign corporations are subject to the income tax to the State, but not subject to an ad valorem tax, which ruling is unconstitutional and null and void.

Wherefore, your petitioners pray your Honor upon the allegations herein set forth to declare and adjudge the aforesaid Legislative enactment exempting stocks in foreign corporations from taxation unconstitutional, unjust and against public policy.

That your Honor direct a summons and issue notice to the defendant Revenue Commissioner to appear before your Honor, resident Judge of the 3rd Judicial District, in Warrenton, N. C., on the 28th day of April, 1923, and show cause, if any he can, why a peremptory mandamus should not issue against him, requiring and compelling him to place and have listed the stocks in foreign corporations, now in the hands of individual stockholders and owners in North Carolina on the tax books at its true value in money, and for such other and further relief as plaintiffs are entitled to in the premises.

FOR SALE
 Two extra fine pure bred Collie dogs golden sable in color with white markings, extra large for age.
 3-30-11 J. A. MUNFORD.

Department Warns Cotton Planters Against Fake Weevil "Remedies"

The present great interest in the boll weevil problem in the Southeastern States has resulted in a large number of patented preparations and machines which are being vigorously exploited, says the United States Department of Agriculture. This is a petition of what has occurred in every region invaded by the boll weevil. During the first few years the farmers are exploited and many useless or practically useless devices are sold to them. In a few years, however, history shows that such organizations go out of business. Their operations are especially important at the present time since the losses caused by the boll weevil will be increased by the expense of buying nostrums of various kinds.

The claims for these preparations are not based on scientific tests although in many cases the persons exploiting them are undoubtedly sincere in their belief that they will yield good results. Generally speaking they are based on misinterpretations of what occurs in the field. To determine whether a remedy is effective, it is necessary to have control areas and to consider the effects is very easy for an untrained observer to attribute to some preparation he has applied, the beneficial results of some variation in climatic or cultural factors.

The Department of Agriculture and many of the State experiment stations have tested the new boll weevil remedies which have been proposed from year to year and many of those now being offered the public are not essentially different from the kind that have been tested and discarded. The Association of Southern Agricultural workers at its recent convention at Memphis considered the whole problem of boll weevil control and, in addition to certain cultural methods, it recommended the consideration of three remedies.

This convention heartily endorsed the use of the dusting method in areas where the yield of cotton was high enough to warrant the expense. It also endorsed the Florida method for the region in which it has been proven to be applicable, and further recommended extensive tests of this method in other regions of light yields.

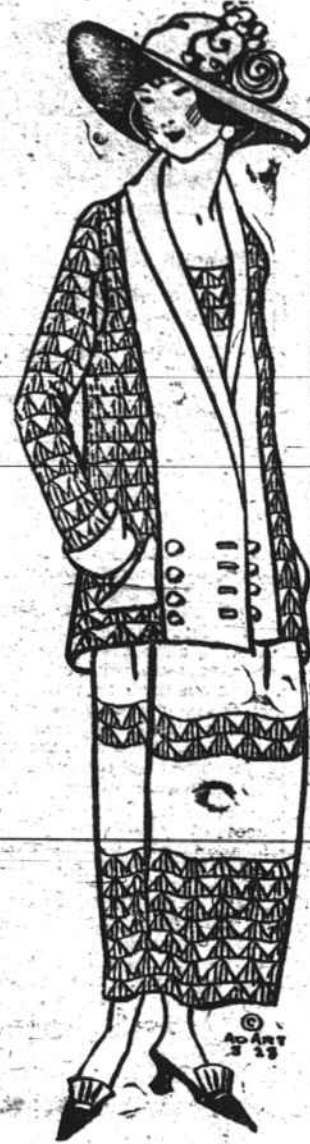
In another paragraph it called attention to the fact that the molasses arsenate treatment, although not yet subjected to sufficiently detailed experimental tests in warrant its endorsement, had apparently given results over a wide area that warranted further consideration, and it therefore recommended thorough and immediate tests of this method by State and Federal agencies.

The State and Government institutions are anxious to help the farmers through the agency of any new methods of controlling the boll weevil which may be discovered. As promptly as possible careful tests are conducted. The department strongly recommends that farmers exercise due caution in spending money for new boll weevil remedies. In all cases farmers should demand evidence of official tests and communicate with their experiment station for detailed information regarding any of the new remedies. If anything of value is discovered by the State experiment stations or by the Federal Department prompt and wide spread notice of the fact will be given the public. In the meantime it is safe to say that in all probability any money spent for patented mixtures or machines will be wasted.

SPRING OPENING

AT

F. A. ROTH COMPANY IS NOW ON



You are extended a special invitation to visit the store of F. A. Roth Co. and see the exceptional display of Spring Coats, Coat Suits, Dresses, Millinery, Oxfords for women, Suits, Hats, Caps and Shoes for men and boys. This is the prettiest display we have ever shown and the values are greater. We want you to come in and see them. You can't appreciate the savings you can make if you don't. See the following exceptional prices:

LADIES AND MISSES HATS

in all the latest Spring styles, a large selection of very attractive hats to select from

Price \$1.50 up to \$7.95

Ladies Coats and Coat Suits

in Poiret Twill, Tricotine, all colors in two and three suits

Price \$18.50 to \$39.50

Ladies New Spring Dresses

in all the leading shades and combinations, Crepe Dechime, Crepe Satin, Taffeta, Paisley Silk Crepe, Flat Crepe and Sport Silks

Price \$8.95 to \$32.50

Ladies Coats and Wraps

all colors and all materials,

Special Price \$8.95 to \$25.00

Men's and Boys' New Spring Suits

with one and two pair pants in all the leading styles and colors Tweeds, Worsteds, Serge, Garbadine and Whipords

Special Price \$8.50 to \$35.00



Men's, Womens' and Childrens Oxfords and Pumps

Straps, Lace, Colonial in all the leading shades and color combinations, including Sport Oxfords, Silk Hose to match all pumps

Price \$1.50 up to \$7.50



Men's and Boys' New Spring Hats and Caps, all shades and styles

Priced Special 98c to \$4.95



F. A. ROTH COMPANY

THE STORE THAT ALWAYS SELLS THE CHEAPEST

LOUISBURG,

NORTH CAROLINA