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BLACKBURN W. JOHNSON, EDITOR AND PUBLISHER

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Obituary notices, cards of thanks, tributes of respect, by individuals, lodges, churches, organizations or societies, will be regarded as advertising and inserted at regular classified advertising rates.

We Have a Power Plant

ANNOUNCEMENT that the Franklin hydroelectric power plant will revert to the town on April 1 has revived the old dispute over municipal ownership.

"Sell it," say many, "for if the town tries to operate it taxes will go sky high."

"Let's run it ourselves," say others, "so we won't be at the mercy of the power companies."

We won't attempt to review the argument; the pros and cons are well known. Furthermore, it looks like the town will have to operate the plant whether it wants to or not, for no new purchaser has come upon the scene.

Though opinion is widely split on the question of municipal operation, nearly everybody seems to be agreed on one point—that the rates should be lowered. Of course, many factors enter into this question; it should be carefully studied by experts before a new rate schedule is put into effect.

The Franklin power plant has a large surplus of current which has been going to waste. The plant was built with the people's money, or rather their credit, and the rates should be set so the people can afford to use the power.

Use the 'T. F.' Railway

THE Interstate Commerce Commission has clearly stated its attitude on the abandonment of branch line railroads serving communities which have diverted their traffic to the bus and truck lines.

"Communities unable to support a railroad cannot justify demand its continued operation at a loss in order to maintain the values of private property within the communities, nor can shippers which use motor trucks to ship their freight in lieu of rail carriers complain if the carriers abandon branch lines due to revenue losses."

In view of this declaration, it behooves every business man in Macon county to exert his influence to the end that every possible pound of incoming and outgoing freight is routed over the Tallulah Falls railway.

No Need for Alarm

THE Bank of Franklin faces another crisis, but there is no cause for depositors to be alarmed. All deposits in the "new bank," that is, deposits made since the bank reopened in May, 1931, may be withdrawn in full.

The State Banking Department's order, forbidding the Bank of Franklin to continue operating as a clearing house or to do any banking business until it has reorganized, came as a surprise.

The directors and personnel of the "new bank" deserve only congratulations. Its closing is no reflection on them. The fact that they conducted such an institution without the loss of one cent to any depositor should win for them new confidence and strong public support in their efforts to reorganize the old bank.

Public Opinion

DE LEGIBUS

Some examples of debatable laws of North Carolina and other jurisdictions are here given and the opinions of jurists concerning their validity.

Several years ago a man, charged with a misdemeanor, was tried in Macon Superior court and convicted by a jury. The defendant did not go on the stand. Before sentence was passed I asked the presiding judge, in private conversation, the following question: "Since the jury was not permitted to consider the defendant's refusal to testify in his own behalf as circumstantial evidence of his guilt, can you consider it in passing sentence?" He answered: "I can and will consider it when I lay sentence."

Another judge, also in private conversation, said: "I would like to see the oath abolished; it does no good. Truthful people will tell the truth without the qualification of an oath and the untruthful will disregard it."

The next item has no name to conceal. Judge Sink, presiding at the August term, 1932, Macon superior court, said that grand jurors cost North Carolina more than \$600,000 every year and he hoped some man would have the courage to introduce a bill to abolish the grand jury.

our fellowman. The use of a grand jury is a method to get a person into court for probable violation of law. Nine jurors with six voting a true bill would meet the requirements of justice and save half the cost.

Early in this year a case was tried in Haywood superior court in which the prosecuting witness was a five-year-old girl. The defendant was a seventeen-year-old negro. The case being a serious one, the court appointed two lawyers to represent the defendant. To make the child's evidence legal and effective she was sworn as older people are sworn. On cross examination one of the defendant's counsel asked the child if she knew what it meant to lay her hand on the Bible and swear, and if she understood the sanctity of an oath. To both questions she answered, "No."

Clippings

COURAGEOUS AND CLEAR

"I loathe sales taxes," says Governor Ehringhaus. They have few friends testifying for them. The general sales tax, which bears the heavier matriculation, can have but a limited defense put up for it by its next friends, the organized realtors, because its operation has been proved to such a limited extent.

Governor Ehringhaus does not make out any sort of case for the sales tax. He states a situation and its necessities. Necessity needs nobody to make or plead a case for it. The Governor does, however, present and arrange his facts so that the force of them cannot be escaped, clothing them in language of simplicity and clarity.

There is a finality in the presentation, for those who occupy the same general position on the subject of public education as does the Governor. For those neither intellectually convinced of the necessity of maintaining the schools unimpaired, nor sentimentally inclined to that, the message may, perhaps, be no more than just a Governor's message.

The document breathes courage. A brave spirit in a well body is one thing; to strive to meet an issue in masterly fashion, to carry on in faith and enthusiasm, in such pain and depression as much have been upon Governor Ehringhaus through the hours he fashioned and delivered this address, is quite another.

He is standing, because he must, as between a loathed sales tax "on the one hand and a decent school on the other" for the school. As between the road of good faith pledged and that which, to his clear discerning, leads to shame and dishonor, he makes his choice. To keep the pledge of the State for value received, to carry on the schools, to preserve the State's investments, to maintain the agencies of government, he shows (the facts show) "some form of sales tax, or other new tax providing substantial yield" must be levied.

Granting that the worst fears any of us have entertained of the operation of this untried sales tax are to be realized, there are certain compensations that must be taken into consideration. It has "the virtue of universal application and something of relation to ability to pay, if spending has reasonable relation to income."

The management of 200 corporations control today more than half the corporate wealth of the nation. Very definitely many things have happened since that day over twenty years ago when the Pujio committee, after bringing the greatest financiers of the country to the witness stand, ended its hearings.

counties, cities, towns and districts. The shame and dishonor the Governor mentions would involve a good deal more than that. Any absolutely practical citizens, in anywise concerned about the citizenship of tomorrow, must be impressed by the declaration that a price and penalty would be exacted for generations, for default. That would be true of an avoidable default. North Carolina can avoid default.—GREENSBORO DAILY NEWS.

THE WAY TO CONFIDENCE

President Roosevelt's support of the Senate investigation of the Stock Exchange and the dealing in securities by banks and trust companies is excellent news. If the day ever existed when "pitiless publicity" was needed as to the whole structure of finances, frenzied and otherwise, in the United States it is today when the results of speculations led by great investment organizations have been shown in the recent crisis.

Not since the Pujio hearing in 1911 and 1912 has there been any thorough investigation of the money power and banking in America. The disclosures before that committee made apparent at that time the great need to protect the masses of America from the dominance of the Money Power in New York, and resulted in the passage of the Glass-Owen Currency Act, the Clayton Anti-Trust Act and the creation of the Federal Reserve System.

Since then twenty years have passed. In the last twelve years a third of all the banks in America have failed. In the same period one of the greatest banks of the country sold, the people a billion dollars in securities which have turned out to be worthless. The same twelve years, too, has seen an acceleration in the concentration of wealth never before equalled.

Certainly today there is more that can be told, a great deal more that ought to be told. Those who counsel a policy of hush in these times do not realize that the time has passed when a fictitious public confidence can be created in America. The flight of Insull, the suicide of Kreugar, the admission of Mitchell and other disclosures have done such things to the confidence of the American people in their old financial gods that true economic confidence cannot be fully restored in America until the truth is made plain so that the remedy can be made to fit the disease.

President Roosevelt's determination that nothing shall be hidden

but that the government shall seek through the Senate and the Department of Justice the facts of financial betrayal and financial stupidity is the surest way to bring back once more the confidence of the people in the financial institutions of the nation.—RALEIGH NEWS AND OBSERVER.

DIVORCE MADE EASIER

The legislature last week enacted a measure to make two-year separation grounds for divorce in North Carolina. A previously enacted bill had restricted this right to aggrieved parties.

LEGAL ADVERTISEMENT

NOTICE OF SALE North Carolina, Macon County, In Superior Court. A. L. Ramsey, Plaintiff vs. Mary McCombs Beck and husband, Jno. Beck; Fate McCombs; J. K. Pendergrass and wife, Florence Pendergrass; Ivalie Hurst, widow; Lassie McDaniel Southards and husband, Lloyd Southards; Mary McCombs Beck and husband, John Beck, and all other heirs of Ben McDaniel, deceased, whose names are unknown, and all other persons, firms and corporations claiming any interest in the subject matter of this action, Defendants.

By virtue of a judgment of the Superior Court of Macon County, North Carolina, in the above titled action, naming and appointing the undersigned Commissioner of the Court to sell a three-fourths undivided interest in the land hereinafter described, I will, on Monday, the 3rd day of April, 1933, at 12 o'clock, noon, at the courthouse door in Franklin, Macon County, North Carolina, sell, to the highest bidder for cash, in accordance with the terms of said judgment, a three-fourths undivided interest in the following described tract or parcel of land:

Beginning at a Spanish oak on top of a ridge, the N. side of Iotla and Burningtown road where the Long Branch road intersects; then N 27 E 24 poles to a black oak; then N 49 E 30 poles to a Spanish oak; then N 23 W 20 poles to a small black oak on the north boundary line of No. 42; thence with its line, east 95 poles to post oak, the beginning corner of No. 42; thence with said line, south 99 poles to a stake at the edge of Burningtown and Iotla road; thence with said road and Jacobs' line, 133 poles to the beginning, containing 52 1-2 acres, more or less.

This 1st day of March, 1933. GEORGE B. PATTON, Commissioner. M9-GP-4tc-M30

NOTICE OF SALE

North Carolina, Macon County.

By authority of the power of sale vested in the undersigned trustee by a certain deed of trust executed by Clyde Berry, unmarried, to G. A. Jones, trustee, on the 1st day of March, 1932, said deed of trust being registered in the office of the Register of Deeds for Macon County in Book of Mortgages and Deeds of Trust in Book No. 32, page 386, to secure the payment of certain indebtedness in said deed of trust set forth and default having been made in the payment of said indebtedness: I will, therefore, sell at the Court House door in Franklin, Macon County, North Carolina, on Monday, the 10th day of April, 1933, at 12 o'clock noon, to the highest bidder for cash, the following described real estate:

All the lands described in a deed from J. A. Berry and wife, Minnie Berry, to Clyde Berry, said deed bearing date of 15th day of December, 1930, and registered in the office of the Register of Deeds for Macon County in Book W-4, page 34.

This 2nd day of March, 1933. G. A. JONES, Trustee M9-4tc-BoFEM30

NOTICE OF SALE

North Carolina, Macon County.

By authority of the power of sale vested in the undersigned trustee, by a certain deed of trust executed by Lake Emory Company to George B. Patton, trustee, on the 23rd day of December, 1926, said deed of trust being registered in the office of the Register of Deeds for Macon County in Book of Mortgages and Deeds of Trust No. 30, page 402, to secure the payment of a certain indebtedness in said deed of trust set forth and default having been made in the payment of said indebtedness: I will, therefore, sell at the Court House door in Franklin, Macon County, North Carolina, on Monday, the 10th day of April, 1933, at 12 o'clock noon, to the highest bidder for cash, the following described real estate:

Lying and being in the County of Macon, Franklin and Millshoal Townships, North Carolina, and bounded and described as follows: All the lands described in the deed of trust above referred to which said description is made a

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part of this advertisement, consisting of the lands conveyed to the Lake Emory Company by the seven following deeds:

Deed from B. J. Downs and wife, registered in Book J-4, p44; deed from W. J. Zachary and wife, registered in Book J-4, page 540; deed from W. R. Pressley and wife, registered in Book J-4, page 432; deed from C. A. Woodall and wife, registered in Book K-4, page 333; deed from George B. Patton, commissioner, registered in Book J-4, page 418; deed from R. D. Sisk, commissioner, registered in Book J-4, page 420; deed from Viroo Mincey and wife, registered in Book M-4, page 64; together with all other lands of every kind, nature and description, wherever situated, and all rights and easements that may revert to the Lake Emory Company, its successors and assigns, at any time in the future; and in addition thereto, all rights or easements that the Lake Emory Company may own, as evidenced by a contract between the Town of Franklin and the Lake Emory Company.

This 2nd day of March, 1933. GEORGE B. PATTON, Trustee M9-4tc-BoFEM30

NOTICE OF SALE

North Carolina, Macon County.

Under and by virtue of the power of sale contained in a deed of trust executed by W. W. Donaldson and wife, Hattie Donaldson, to the undersigned trustee, dated June 16, 1932, and recorded in the office of Register of Deeds of Macon County, N. C., in Book 33, of Mortgages and Deeds of Trust, page 47, and default having been made in the payment of the amount secured by said deed of trust and demand having been made on the undersigned trustee by the holder of the note secured by said deed of trust to exercise the power of sale contained in said deed of trust, I will, on Saturday, the 25th day of March, 1933, at 12 o'clock, noon, at the court house door in the town of Franklin, Macon County, N. C., sell to the highest bidder for cash to satisfy the amount secured by said deed of trust, the following described tract or parcel of land:

All the land described in a deed from W. C. Singleton and wife, to W. W. Donaldson, dated August 9, 1927, and recorded August 11, 1927, in Book O-4, page 173, Office of Register of Deeds, Macon County, North Carolina, to which deed, as so recorded, reference is hereby made and had for a more definite description of the lands hereby conveyed.

This February 21, 1933. R. D. SISK, Trustee M2-4tc-GP-M23

NOTICE OF SALE

North Carolina, Macon County.

Under and by virtue of the power of sale contained in a deed of trust given by Oscar Conley and wife, Nina Conley, to the undersigned trustee, dated July 15, 1929, and recorded in the office of the Register of Deeds for Macon County, North Carolina, in Book No. 31, of Mortgages and Deeds of Trust, Page 204, and default having been made in the payment secured by said deed of trust and demand having been made on the undersigned trustee to exercise the power of sale contained in said deed of trust, I will, on Saturday, the 25th day of March, 1933, at 12 o'clock noon, at the court house door in the Town of Franklin, North Carolina, sell to the highest bidder for cash, to satisfy the amount secured by said deed of trust, the following described tract or parcel of land:

That tract or parcel of land situate in Cartoogechaye Township, adjoining the lands of John Slagle, A. B. Slagle and others, and being the land now occupied by Mrs. Sallie Pope and J. D. Pope and being the land inherited by Oscar Conley from his father which was deeded by Ambrose Conley to J. P. Conley, it being about six miles west of Franklin, N. C., containing about eighty (80) acres, more or less.

This 21st day of February, 1933. FRANK I. MURRAY Trustee M2-4tp-M23

NOTICE OF FORECLOSURE SALE OF LAND

North Carolina, Macon County.

Federal Land Bank of Columbia vs. J. N. Lewis, Ella Lewis, L. K. Moffitt, J. Frank Ray, trustee, Alex Moore, Hermie Stockton, D. C. Stockton, Robert Stamey, trustee, C. W. Hames, Charles Fulton, H. Arthur Osborne, and Bank of Franklin, and Robert Fulton.

Pursuant to a judgment entered in above entitled civil action by his Honor, Frank S. Hill, Judge presiding, at the January Special Term, 1933, Macon Superior Court, I will on the 3rd day of April, 1933, at 12 o'clock noon, at county courthouse door, in Macon County, Franklin, N. C., sell at public auction to the highest bidder therefor

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the following described parcel, to wit: All that certain parcel, piece, or tract of land, containing 27 1-4 acres more or less, situate, lying, and being, on the Georgia Road about 2 1-2 miles South from the Town of Otto, N. C., in Smith-bridge Township, County of Macon, having such shapes, metes courses and distances as will more fully appear by reference to a plat thereof, made by C. W. Slagle, surveyor, and surveyed by C. R. Cabe, surveyor, on the 6th day of March, 1918, and being bounded on the N by the land of Jas. Cabe, and on the E by the lands of Wm. Ledbetter, on the S by lands of J. C. Brabson heirs, and on the W by the lands of Robert McPherson, this being the same tract of land heretofore conveyed to said John N. Lewis by L. C. Holbrooks and wife, S. A. Holbrooks, by deed dated April 21, 1913 and recorded in the office of Register of Deeds for Macon County in Book R-3, page 12.

I will first sell that portion of the above described land which was conveyed by L. K. Moffitt to Hermie Stockton. For a description of same, reference is made to the deed recorded in the office of Register of Deeds for Macon County, N. C. Should this parcel of land not bring the full amount of the above judgment and costs, I will then sell his whole tract.

The terms of sale are as follows: This land will be sold for cash.

All bids will be received subject to rejection or confirmation by the Court, and no bids will be accepted or reported unless its maker shall deposit with the Clerk of Court at the close of the bidding \$50.00 as a forfeit and guaranty of compliance with his bid, the same being credited on his bid when accepted.

Notice is now given that said lands will be resold at the same place and upon the same terms at 2 o'clock, P. M. of the same day, unless said deposit is made sooner. Every deposit not forfeited or accepted will be returned to the maker.

This 23rd day of February, 1933. R. S. JONES, Commissioner. M9-4tc-J&J-M30

NOTICE OF FORECLOSURE SALE OF LAND

North Carolina, Macon County.

In the Superior Court. Federal Land Bank of Columbia vs.

J. R. Bates and wife Mary Bates, N. S. Bates and wife, Mary Bates, J. V. Ramey, E. W. Long, E. A. Dowdle, Lola Bates, Jesse Bates, Wiley Stamey, Alex Moore, Bank of Franklin, Carolina Provision Company, Cecil Pendergrass, Geo. Patton, trustee, Frank I. Murray, Ray Penland, Emmer Stockton and husband, Steve Stockton, M. S. Bates, executor, and Geo. Patton, guardian ad litem.

Pursuant to a judgment entered in above entitled civil action by his Honor, Frank S. Hill, Judge presiding, November Term, 1932, of Macon Superior Court, I will, on the 3rd day of April, 1933 at 12 o'clock noon, at the county courthouse door, in Macon County, sell at public auction to the highest bidder therefor, the following described land situate in said county and state, in Franklin Township, comprising 78 acres more or less, and bounded and described as follows:

Situate, lying, and being on the South Skeener road about 5 miles from the town of Franklin, having such shapes, metes, courses and distances as will more fully appear by reference to a plat thereof, made by W. N. Sloan on November 5, 1921; being bounded on the N by the lands of C. F. Henderson, on the E by lands of J. M. McConnell, on the S by lands of Bates Brothers and R. Stamey, on the W by the lands of Bates Brothers and R. Stamey and C. F. Henderson, being the same tract of land conveyed by J. G. Addington, et al, to J. R., J. W., and N. S. Bates, by deed dated April 11, 1917, and recorded in office of Register of Deeds for Macon County in Book A-4 of Deeds, page 391.

The terms of sale are as follows: One-half of the accepted bid to be paid in cash and the balance in two equal annual installments with interest from date of sale.

All bids will be received subject to rejection or confirmation by the Court, and no bids will be accepted or reported unless its maker shall deposit with the Clerk of Court at the close of the bidding \$50.00 as a forfeit and guaranty of compliance with his bid, the same being credited on his bid when accepted.

Notice is now given that said lands will be resold at the same place and upon the same terms at 2 o'clock, P. M. of the same day, unless said deposit is sooner made. Every deposit not forfeited or accepted will be returned to the maker.

This 23rd day of February, 1933. R. S. JONES, Commissioner. M9-4tc-J&J-M30