

THE BREVARD NEWS

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RETURN TRUE BILL AGAINST SHIPMAN ON THREE COUNTS

Former Bank President Charged with Embezzling \$21,703.81

MISAPPLICATION AND ABSTRACTION CHARGED

Shipman Says Forgery By a Customer Accounts for \$15,000 of Amount

True bill was returned by the Grand Jury in Superior court late Tuesday evening against Thos. H. Shipman, president of the Brevard Banking company, now closed, charging embezzlement, misapplication and abstraction of the bank's funds. The indictment was signed by J. Will Pless, Jr., solicitor in this district. The sum named in the charge as having been embezzled, misapplied and abstracted is \$21,703.81, and date of alleged action is given as date of December 15, 1930, on day that the bank closed its doors. Bond in the sum of \$5000 was demanded by the court.

Mr. Shipman is one of the best known men of the county, and had served as president of the North Carolina Bankers association. When informed that the indictment had been made and of the charges contained therein, Mr. Shipman issued the following statement:

"I have not seen the bills of indictment, and know only what I have heard to be the basis of the charges. I am confident that a hearing in open court, here in my own county, will thoroughly vindicate me of all charges.

"While there are items which constitute an overdraft against my account, it does not represent money that I drew from the bank. Most of same consisted of items of customers that the auditors charged to me after the closing of the bank, one of which reaches the rather large figure of \$15,000. This item came about through forgery on the part of one of our customers, and which I personally and voluntarily made good temporarily, and I secured the bank against loss on account of this forgery. So far as I know, every transaction was handled in the usual banking manner."

Closing of the Brevard Banking company came 25 days after the fall of the Central Bank & Trust company of Asheville. More than one million dollars on deposit, including more than \$600,000 county and town

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RETURN TRUE BILLS AGAINST MEMBERS OF FORMER BOARD

Silversteen, Shipman and Fisher Also Named in Indictment

IN CONNECTION WITH SALE OF \$100,000 NOTE

Fisher Asks for An Immediate Hearing of Case—Conspiracy Charged

True bills were returned by the Grand Jury Wednesday against the board of county commissioners which retired last December first, the county attorney serving with that board, the president of the Brevard Banking company and the chairman of the board of directors of the bank. One bill charged the county commissioners with failure to obtain collateral for public funds deposited in the Brevard Banking company, while another bill charged the former county commissioners, the former county attorney and officials of the bank with conspiracy to defraud Transylvania county in the sum of \$100,000.

Named in the bill are the following:

Thos. H. Shipman, president of the Brevard Banking company.

Jos. S. Silversteen, chairman of the board of directors, Brevard Banking company.

J. H. Pickelsimer, former chairman of the board of county commissioners; A. M. White, W. L. Talley, S. R. Owen and C. R. McNeely, former members of the board of county commissioners; and Ralph R. Fisher, former county attorney.

No warrants had been issued late Wednesday, hence no bonds had been named by the court for appearance. Mr. Fisher, speaking for himself and his former associates in the county government, asked the court for immediate hearing of the cases. The bill against the former commissioners charges that the board of county commissioners were empowered under the law to select a depository for the funds of the county; that the commissioners did select the Brevard Banking company as the county's depository; and that the commissioners failed and neglected to require of the Brevard Banking company a bond in some surety company doing business in North Carolina, as the law requires, in an amount sufficient to protect the funds of Transylvania county.

The bill charging conspiracy to

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SHERIFF PATTON IS INDICTED IN BILL ON SEVERAL COUNTS

Charged With Falsely Representing Possessions in Obtaining Money

NAMED AS AGENT OF PATTON-PICKETT CO.

Requests Court to Give Him Immediate Hearing in the Matter

True bill charging that he obtained money from the Brevard Banking company through false representation was returned by the Grand Jury Wednesday against T. E. Patton, Jr., sheriff-tax collector of Transylvania county. Six specific instances were cited in the bill, charging Mr. Patton with representing in each instance that he, as agent for the Patton-Pickett Timber company, had certain values in shipments of poles, upon which representations he obtained sums of money in each instance. The alleged transactions are said in the bill to have been committed on the 7th and the 8th days of October, 1929.

Upon being informed that presentment might be made against him, Mr. Patton requested Solicitor Pless to send in the bill, and when it had been sent in and returned, counsel for Mr. Patton, in open court, asked for trial at this term of court so the matter could be cleared up.

The six shipments of poles included in the bill had a total value of \$1,720.05, for which, the bill recites, Mr. Patton received these sums of money, aggregating the above named amount, and the bill charges in each instance that the defendant did not possess these poles, and misrepresented the facts to officials of the bank from whom the money was obtained.

Bond in the sum of \$1000 was demanded, and immediately furnished.

The bills covered five pages, typewritten, covering each count, giving date of alleged transaction, number of poles shipped from each point, destination, amount of money each shipment was represented to bring in, and then the charge in each instance that misrepresentation had been made in obtaining the various sums of money from the bank against these shipments.

APPEAL MADE FOR SCHOOL CHILDREN

Officers and members of the Parent-Teacher association issue urgent appeal for volunteers to provide lunches for the two groups of children here who have been receiving these lunches throughout the school year. Plans are made for the lunches up to and including Wednesday, April 8. There are 20 children in one group, and fourteen in the other school group. The Parent-Teacher association has been providing milk for both groups, while volunteers have provided sandwiches. There is noted improvement in the health of the children, it is reported, and the need for continuation of this work until school closes is urgent.

Following is a list of the volunteers who will provide lunches through Wednesday, April 8:

Mrs. Dr. R. L. Stokes, Mrs. Truman Cray, Mr. and Mrs. Carl McCrary, Mrs. Avery Galloway and Mrs. James F. Barrett. Volunteers are needed for providing lunches beginning Thursday, April 9. Notice should be given Mrs. Charles Pickelsimer, Mrs. H. L. Wilson, or any member of the association.

T. W. WHITMIRE ASKS FOR SEVERAL TRACTS

As an indication of the manner in which people are turning their eyes toward Brevard and Transylvania county, T. W. Whitmire, mayor of Brevard and real estate dealer, has placed a quarter page advertisement in this issue of The Brevard News, asking for three, five and ten acre tracts of land, near Brevard. "It is urgent," the advertisement reads, "whatever is done must be done at once."

Men who have made a study of conditions here predict the summer and fall of this year to be the most active in the community's history. There are some big things in store for this section, and all of these events, although seemingly small when considered alone, but taken in the aggregate are sufficient to cause people to take new hope and new heart, and work toward a greater goal than ever before.

REGULAR MEETING OF O. E. S. NEXT TUESDAY

Regular meeting of the Pisgah Chapter of the Eastern Star will be held next Tuesday night at the regular hour. A large attendance is urged.

MARK GENTRY FOUND GUILTY OF MANSLAUGHTER IN CASE OF SLAYING CLAUDE MASON

Mark Gentry was found guilty of manslaughter in Superior court, the verdict being returned by the jury at 6 o'clock Wednesday afternoon, after having been out about one hour. Gentry was being tried for the murder of Claude Mason, on the 7th day of Oct. last year. Gentry based his plea on self defense, and has been out under bond since a few days after the preliminary hearing.

The following citizens were on the jury, which returned the verdict of manslaughter:

Granville Fisher, Joe Clayton, Jr.,

Clyde Pitman, Bob Mackey, Carmel Pickelsimer, Joe McCrary, Cole I. Lee, Frank Case, Seldon Barton, Will Conley and R. E. Whitmire.

Gentry was represented by Wm. E. Brees, T. Coleman Galloway and Pat Kimzey. Solicitor Pless was assisted for the state by R. R. Fisher and L. P. Hamlin. Trial of the case was begun Wednesday morning, the verdict being returned before 6 o'clock in the evening. Judge Grady, who was called back to the court room from the Waltermire Hotel, announced that he would pass sentence Thursday.

JUDGE GRADY HERE FOR FIRST COURT

Many Cases Disposed of—Solicitor J. Will Pless is Prosecuting

Superior court, beginning here Monday morning with Judge Henry A. Grady presiding, and Hon. J. Will Pless, Jr., solicitor, has disposed of numerous cases on the criminal docket, all of which were of minor nature, except the murder case against Mark Gentry. This is the first court in Transylvania county over which Judge Grady has presided, yet in the few days that he has been here he has made many friends. Solicitor Pless is well known here, and this county claims him as one of its own citizens. It is believed that the criminal docket will be cleared before the end of the week, unless trial of some of the bank cases come up. Sheriff T. E. Patton, Jr., has asked that he be given an immediate trial on the charges lodged against him, while R. R. Fisher, former county attorney, has requested for himself and for the former county commissioners indicted with him, a hearing at the earliest possible moment. It is not known whether any of these cases will be heard at this term.

Next week will be devoted to the civil docket, on which there are some important cases. Judge Grady will remain here for trial of the civil docket, while Solicitor Pless will go to other work as soon as the criminal docket has been cleared.

LIMIT OF LAW TO BE GIVEN, SAYS MAYOR

Mayor T. W. Whitmire stated to the press Tuesday that instructions have been issued to the officers to make arrests of all people who violate the law governing conduct of the public while the fire whistle is blowing, or while the firemen and the chief are on the way to the place of a fire. The mayor further stated that he intends to give the maximum punishment to those who are guilty of these violations, and is giving this public notice to the end that all may know what to expect in event the ordinance is violated.

The ordinance provides that all drivers of vehicles on the streets of the town of Brevard shall park their cars immediately when the fire whistle, or gong, or the fire siren, is sounded, and remain parked until the fire fighting forces shall have clear passage on the streets to the location of the fire.

Following is the ordinance which is to be strictly and rigidly enforced, the mayor says:

"Be it ordained by the Board of Aldermen of the Town of Brevard, N. C., that all persons, other than members of the Fire Department, who may be driving any automobile or other vehicle on any of the public streets of the Town of Brevard, shall at the sound of the "Fire Whistle," or the Fire Bell, park their vehicle in such a place and manner as not to interfere in any way with the passage of the Fire Truck or automobile carrying members of the Fire Department until the exact location of the fire is ascertained.

"Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and shall be fined not less than twenty-five dollars, or imprisoned not more than thirty days in the discretion of the Mayor."

MANY COMING HERE FOR B. Y. P. U. MEET

The Western North Carolina Regional B. Y. P. U. Convention meets with Brevard Baptist church April 17 and 18. This will be one of the most significant meetings ever held at this church.

Plans are being made by the different committees to care for and entertain the scores of Unioners who will attend this convention. A housing committee will make a survey of the town possibly this week to secure homes for the delegates.

Cooperation of other churches of the town has been pledged; the Scouts have agreed to be on hand and help in every way possible.

LEGISLATURE NOW BEGINS 4TH MONTH OF PRESENT SESSION

Sales Tax, Bone of Contention, Now in the Senate, May Die

MacLEAN SCHOOL LAW CAUSE OF BIG WRANGLE

No Adjournment in Sight—Predicted That MacLean Will Be Repealed

North Carolina's legislature is breaking all records for length of time in continuous session, as it enters upon its fourth month of work, with no indication of adjournment. The revenue bill, embracing the sales tax plan as passed by the lower house, is now in the hands of the senate group, where, it is freely predicted, the sales tax feature will be eliminated. Prediction is also being made that in the end the MacLean school bill, cause of all the long session, will be repealed, the equalization fund increased, and tax left on land for support of the schools.

Brevard News Bureau Raleigh, April 1

Sales tax or no sales tax has been the all-absorbing problem in the General Assembly for a week, particularly in the House of Representatives side of the General Assembly. The question of, if a sales tax, then which, was answered by the House committee and later by the House, as a committee of the whole, in favor of the general sales tax against the so-called luxury tax, by the close margin of four votes.

This vote, of course, was not decisive. In fact, proponents of the luxury tax, in some instances, voted for the general sales tax, with a sort of reservation that they would introduce amendments when it comes to final voting in the House to substitute the luxury tax, or that the Senate, when the revenue bill reaches that body, would substitute the luxury sales tax and send it back to the House for concurrence.

Lines established when the so named MacLean bill was enacted to require the state to support the six months school term, and when the later Johnston-Jolly bill, providing machinery for operation of the six months term, was enacted, both by overwhelming majorities—these lines have become all broken up over methods of financing the six months term. It would seem that the legislature would in-

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NEW REAL ESTATE FIRM ORGANIZED

McCrary and Hamlin to Advertise This County Far and Wide

Announcement is made in this issue of The Brevard News of the formation of a new real estate company in Brevard, composed of Judson McCrary and Lewis P. Hamlin. Under the firm name of McCrary & Hamlin, it is announced that a general real estate business is to be conducted, offering all features of service, including the sale and purchase of real estate, both town and county, rental, re-financing, and all elements of service that will prove of value to the property owner or man who desires to purchase property.

That there is great need here for an active firm of this kind has long been realized. The firm intends to do extensive advertising both locally and in other fields where prospective citizens may be induced to come here and invest in real estate. In addition to homes and business houses, farms and stock farms, the company intends to push the sale of hunting and fishing preserves and summer camps.

Mr. McCrary is an experienced real estate man, recognized as an authority on real estate values. Mr. Hamlin is one of the outstanding lawyers of Western North Carolina, and while he will be actively connected with operation of the real estate business, it is not to interfere with his practice of law, it is said.

Offices have been equipped in the Pickelsimer building on Main street, where Mr. Hamlin has long maintained law offices. There is a decided trend toward increased activity in the real estate field here, and it is believed that the constant work of this new firm will be of untold value to the town and county.

WOMEN WORKING ON PLAN TO CLEAN UP THE TOWN

The Woman's Bureau is busily engaged on plans for cleaning up the town for the summer season. One additional attraction to be offered is the plan to prepare the court house lawn, to be used as a park during the summer. The Bureau is selling lunches at the court house this week, making what money they can for the purpose of preparing the court house grounds for the summer. It is believed that an intensive campaign will be waged by the women to clean up the town in splendid manner for the season.

RENEWED INTEREST IN RE-OPENING BANK

Much Activity by Committees and Many Signing the Agreement

Increased activity in the work of re-organizing and re-opening the Brevard bank is noted here since the meeting of the stockholders, which was held in the court house last Thursday, and largely attended. H. A. Plummer was named chairman of the meeting, and David Ward was selected as secretary. The proposition which had been submitted to the stockholders by the Depositors' Committee was read, and its provisions accepted. A committee was named by the stockholders to work with the committee of the depositors in ironing out the many questions arising, and to submit plans to the corporation commission for approval by that body.

H. H. Patton moved that the corporation commission be asked to make a 35 per cent assessment against the stockholders, to raise the amount of money for re-opening the bank which had been requested in the proposition as submitted by the Depositors' Committee. This motion was given unanimous approval, and the committee was named.

The joint committee met at the Chamber of Commerce rooms on Tuesday afternoon of this week, and some fifty men from all sections of the county were added to the joint committee, and actual work was begun in obtaining signatures of depositors to the agreement. This agreement provides that depositors will set aside 30 per cent of their deposits to be added to the surplus fund, and "freeze" the remaining 70 per cent for a given length of time.

Although the committee on obtaining signatures have worked but part of two days, 300 depositors have already signed the agreement. It is known that more than this number have signed, but the agreements are in the hands of citizens living in outlying sections of the county, and reports had not been received from them. These will be in Saturday, when it is expected that more than half of the depositors will have signed up during the first five days.

In the meantime, a sub-committee is working on the other end of the proposition, and is now in correspondence with the state banking officials for the purpose of making certain that whatever is done here will be done in such manner as to conform to the rules and regulations of the state officials.

SCHOOL BOARD TO ORGANIZE MONDAY

Wilson Suggested as Chairman—To Name County Superintendent

Next Monday will be another active day in Brevard, when the county commissioners will be in regular session, and the newly appointed board of education will meet for organization. The county commissioners met last Monday and transacted special business relating to the finances. The board of education also met Monday, the last session to be held by the old board.

There is no money as yet for the teachers, it is said, they not having been paid in full this year. Fifty per cent was paid for January's work, 20 per cent for February, and nothing for March. Plans are being rushed through, however, to obtain money with which to pay the teachers.

The new board of education, now consisting of five members by legislative enactment which increased the board from three to five in number, will organize next Monday. L. P. Wilson is spoken of on the streets as being the favorite for the place of chairman of the board. Mr. Galloway, of Rosman, the only member of the old board to be re-appointed, Sid Barnett of Pisgah Forest, C. V. Shuford of Little River and Leo Cash of Oakland, are the other board members.

It is not known what action the new board will take on the question of naming a county superintendent. Some reports have it that Prof. Verner will be retained for another two years, while others express confidence that Prof. J. E. Rufty will be named as head of the school system in the county. Suggestion is made in many quarters that neither of these will be named, and one report is to the effect that another man, not yet mentioned publicly in connection with the place, will be named.

GRAND JURY SERVING IN SUPERIOR COURT HERE

Following is a list of the names of the citizens selected to serve on the Grand Jury, now in session for Superior court:

W. A. Wilson, foreman; F. L. Wilson, Lambert Gillespie, Elie Cassell, Webb Hollingsworth, Ace England, Louie Fisher, Nath McGaha, Hughie Orr, Chas. LaMance, M. B. Bagwell, B. N. Teague, E. F. Gillespie, Porter Morgan, E. W. Trantham, Jim Jones, R. E. Fortesque and J. P. Wilson.