

SUPREME COURT MAY ONLY FEW COUNTIES BE CALLED UPON TO AFFECTED BY RULING DECIDE RUFTY CASE OF SUPREME COURT

(Continued from page one)

Assistant Attorney General A. A. F. Seawell holds in his opinion to Pat Kimzey, attorney for the Transylvania county board of education.

Since the public school law sets up a standard for the superintendent, Mr. Seawell writes, "it is not conceivable that the validating act referred to should extend so far as to strike this down or to repeal this act by its comprehensive inclusion of all acts whatsoever of the boards of education. * * * We cannot concede that the purpose of this validating act was to make lawful or valid such acts of the boards of education as were at the time patently contrary to existing laws."

The validating act referred to was enacted to invalidate actions of old boards which had elected superintendents or committeemen for the next two years and to validate acts of the new boards because two superintendents had been elected in one county.

"Inasmuch as Mr. Rufty is not qualified to hold the place of superintendent either by the school law of 1929 or by the school law of 1931, the validating act referred to is not sufficient to make his election good and to entitle him to hold the place; and we are of the opinion that the State Superintendent of Public Instruction will be justified in withholding his certificates to the State Board of Equalization as required by section 20, Chapter 430, Public Laws of 1931," the opinion concludes.

It is intimated here that the case may be carried through the courts for a Supreme Court opinion.

MANY VISITORS IN COMMUNITY NOW

Chamber of Commerce Reports Big Crowds as in the Days of Old

Many tourists are now flocking to Brevard and the streets are assuming an air of busy activity as in former summer seasons. This is especially noticeable since the opening of the various camps during the past week and with the intense heat prevailing in lower sections, causing people to seek the higher altitude and invigorating mountain breezes.

The past week-end was especially marked with an influx of visitors, according to registrations at the Chamber of Commerce. The fourth was reported to be an unusually busy day in tourist affairs, many seeking locations in the various hotels, boarding houses, furnished houses and apartments. According to present indications, it is believed that the 1931 season will equal if not surpass that of any previous season as regards the number of visitors coming to Brevard.

It is felt that the Chamber of Commerce is an active force in the community in its efforts to bring together the tourists desiring suitable locations in Brevard and owners of the various accommodations available for their comfort and pleasure. The organization as a whole is entering enthusiastically into the duties of the different departments of committee work and through its endeavors the outlook is encouraging for a brighter future for Brevard. The bi-monthly meetings are largely attended and much interest is manifested in planning for the town's present and future welfare. It is expected that a large delegation of members will be present at the regular meeting of the Chamber of Commerce to be held Thursday night of this week, at which time matters of concern to the entire community will be discussed.

REGULAR COMMUNICATION OF DUNN'S ROCK LODGE

Regular communication of Dunn's Rock Masonic lodge will be held Friday evening. All visiting brethren cordially invited to attend.

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Chief Justice Stacy states that this case apparently falls into classes listed as: "to supplement the general county found, or to provide for a deficiency therein, or to take up a note in bank and other current expenses, or to borrow money for the necessary expenses of the county and provide for its re-payment, which we have said was not for a special purpose within the meaning of Art. V, sec. 5, of the Constitution."

The act does not relate to cities and towns, but only to counties, and to probably 30 of those in the state, according to Charles M. Johnson, director of Local Government. The decision will not adversely affect the credit or notes or bonds of any of the counties, except as to the notes involved. Mr. Johnson believes, expressing the hope that those involved will be able to get out of their present difficulties without serious trouble.

The North Carolina Supreme Court had cleared its slate of all cases except three when it handed down a batch of 13 opinions July 2 and brought to an end the spring term of the court. Last summer 30-odd cases were held over and opinions rendered during the fall term, and for several years the number has been larger than will go over this summer. The small number is due in part to the fact that only one case arising under the acts of the 1931 General Assembly, the tax case, came before it during the spring term.

The court will meet August 24 to give the semi-annual examination to applicants for licenses to practice law in North Carolina, and will convene for the fall term of court on August 31.

MANY REGISTERED AT FRANKLIN HOTEL

Recent arrivals at the Franklin Hotel include:

William D. Cranston, New York City; Mr. and Mrs. J. C. Page, Birmingham; Mr. and Mrs. E. P. Taft, Augusta, Ga.; Mrs. Frank M. Spratt, Atlanta; Sam W. Smith, Charlotte; R. M. Beale, Bradenton, Fla.; G. T. Hart, Hendersonville; Mr. and Mrs. A. C. Diehl, Wilmington; Mr. and Mrs. D. C. Courtney, Lenoir; J. Hoyt Bennett, Pittsburg, Pa.; Mr. and Mrs. Sol Kohn, Columbia, S. C.; Mr. and Mrs. B. Merritt, Charlotte; Evelyn Hern, Asheville; L. P. Harrell, Raleigh; Mr. and Mrs. George Rowbotham, Atlanta; Mr. and Mrs. Ellis Johnston, Greenville; Mr. and Mrs. E. P. Hurt, Atlanta; Dorothy E. Whitney, Asheville; Maude Davey, Asheville; Mr. and Mrs. L. E. Allen, Atlanta.

Dr. and Mrs. F. G. Hodgson, Atlanta; Misses Mary Butts and Edna Allison, Charlotte; Mr. and Mrs. W. Whisnant, Charlotte; Mr. and Mrs. Chas. Blackburn, Charlotte; Mr. and Mrs. H. L. Dalton, Charlotte; R. H. Purdon, Orlando, Fla.; Mr. and Mrs. W. T. Quillen, Taylors, S. C.; C. D. Hutaff, Fayetteville, N. C.; Mrs. M. E. Holdermas, St. Louis, Mo.; Mrs. R. M. Williams, Little Rock, Ark.; Mr. and Mrs. I. R. Routh and son, West Palm Beach, Fla.; Mr. and Mrs. Edwin Hadley, son and daughter, Charlotte; Mrs. W. J. Murray, Columbia, S. C.; Mrs. Fred Winston Long, Jacksonville, Fla.; Mr. and Mrs. Jas. M. Yander, Charlotte; Mr. and Mrs. Ernest Merry, Augusta, Ga.; Mr. and Mrs. Thos. Barrett, Greenville; Mr. and Mrs. W. C. Bailey, Augusta, Ga.; Mrs. A. W. Jordan, Macon, Ga.; Mrs. Geo. Norfleet, Winston-Salem; Mrs. J. R. Eird, Columbia, S. C.; Mr. and Mrs. J. S. Amend, Greensburg, Pa.; J. P. Herin, Charlotte; Dr. and Mrs. H. F. Kinsman, Hamlet, N. C.; Hart & Haynesworth, Greenville, S. C.

F. M. Fleming, Charlotte; Mr. and Mrs. Carl Higginbotham, Atlanta; Mr. and Mrs. Chas. B. Coultrie, Baltimore, Md.; Mr. and Mrs. E. M. Johnson, Greenville; Mr. and Mrs. Hampton Carter, Charlotte; J. R. Rice, Asheville; Weldon Weir, Asheville.

POOR PEACH CROP, UP GO CIGARETTES

(By CARL GOERCH)

Pitt county next week is going to have a great "home-coming" celebration in honor of its three members in the recent General Assembly.

As a general rule, home-coming celebrations are staged immediately after somebody comes home, but that isn't so with respect to legislators. When they return to their homes it takes a long time for folks to get over being sore at them. Pitt county is sort of rushing things in having its celebration two months after adjournment of the legislature. There are a good many counties in the state that won't be in a proper frame of mind for a home-coming celebration until some time next February or March.

Tobacco companies have announced an increase in the price of cigarettes, which fact seems to cause a whole lot of indignation, questioning and what-not among a great many individuals.

It is pointed out that everything else is coming down in price, that tobacco is selling lower than ever before and that there is absolutely no excuse for jumping the price at this particular time.

That just shows, however, that the average citizen doesn't know anything about the cigarette business. Every well-informed person knows that the cost of tobacco, the amount put out in wages and taxes and the cost of distribution are only incidental expenditures in connection with the production of cigarettes. The prime factor is the condition of the peach crop in lower Abyssinia.

It so happens that the peach crop in that section of the world is unusually poor this year. Consequently, the tobacco companies have been forced to raise prices of cigarettes, even though they hated the worst way in the world to do so.

Anybody ought to be able to understand that.

For the last couple of weeks farmers in all sections of the state have been marching into newspaper offices and have been proudly displaying their first cotton blossom of the season.

If the average farmer would display an equal degree of pride with his first watermelons, cantaloupes, and frying-size chickens, the average newspaper editor would display a great deal more enthusiasm and interest in the proposition.

"Josephus Daniels," says a headline in one of the papers, "is seen as a gubernatorial possibility."

There is no question but that Mr. Daniels is a gubernatorial possibility. He is also a possibility for senator, congressman, justice of the peace, member of the legislature and dog-catcher for the city of Raleigh. It isn't a question of his being a possibility—for he is a possibility for anything you might care to mention, including manager of a tea-room on the Durham road. What this column is interested in is whether he is a probability for any of the political honors in connection with which his name has been mentioned.

The country has been in the grip of a terrific heat wave during the last week. A lot of suffering has been caused as a result.

The proper thing to do, during warm times like these, is to go home and start a fuss with your wife. A good, healthy fuss. After having stirred yourself up as much as possible, find a nice, quiet seat somewhere and settle down to some serious thinking. Think of the money you owe, the notes you've got coming due, the low price of cotton and tobacco and the wrongs that folks have done you during the past year. After that, go home and pick another fuss with your wife. If your wife won't fuss, try your mother-in-law.

By the time you finish carrying out that program, you'll forget all about the heat. You'll forget about a whole lot of other things as well.

Says a society item in a Durham paper: "The bride and the groom entered the church together."

She was evidently starting out early to make a clean sweep of things.

The Nation has passed through the annual period of observing Independence Day.

A great and significant occasion. What a noble people we are! Free— independent—able to follow our own impulses, desires and inclinations—in a position to determine our own course of action—wearing the yoke of no tyrant or set of tyrants—gloriously and beautifully free—and the first son of a gun who laughs out loud will be thrown out of the hall on his ear.

T. W. ANDERSON WORKING OUT OF BREVARD OFFICE

T. W. Anderson, formerly of Brevard, is again in this section, being assigned to work on the Mills River road in Henderson county, but working out of the central highway office in Brevard. Mr. Anderson had charge of the Caesar's Head road for a long time, his family living here where they have many friends. The Anderson family is now living at Hill girl in Henderson county.

A good customer was getting lax about the payment of invoices, and Abe suggested that Mawrus write him a strong but diplomatic letter calling his attention to this laxity.

Mawrus worked for several hours over the letter, then showed it to for his approval. After reading it over carefully, Abe said: "By golly, dot's a wonderful letter. Strong and to der point and not personal or insulting. But you got a couple of mistakes in it, Mawrus. 'Dirty' you should spell mit one 'r' and 'cockroach' begins mit a 'c.'"

SERIES OF BRIDGE PARTIES PLANNED

Prizes of real value are to be given in the series of benefit bridge parties, which begin Friday evening, July 17, continuing on Friday, July 24, and ending Friday, July 31. The Business and Professional Women's Club of Brevard is giving the parties for the purpose of raising funds to pay the expenses of two leaders of the Girl Scout movement in attendance at the Scout Training Camp. The parties will be held at the Joines Motor company's building on the three Friday evenings, and a partial list of the prizes follow:

Archers' Company, of Pinehurst, one quiver.

Grove Park Industries, one suit length of homespun.

Character Products of Salisbury, one pair of ladies' pajamas.

Swift & Co., 12 cans of Jewel Shortening and 12 Golden West Salad oil.

Chesterfield Milling company, of Asheville, 4 bags of Nancy Jane flour and 4 bags of Multigood meal.

Walker Insurance company, mountain-made ladder back chair.

Red's Service Station, complete simonize job.

H. & T. Recreation Center, three free games.

Brevard Battery company, can of Ducco paint and free polish job.

Fred Holden, one grease and wash job.

Morris' Footwear Department, one pair of silk hose.

McCray Tire company, one Firestone battery.

Ed. McCoy's, one Goodyear tire.

Other prizes will be announced later, as many firms have indicated a desire to present prizes to be given in this most worthy work.

ROSMAN TO HOLD FAIR THIS YEAR

(By J. F. CORBIN)

Everybody in the Rosman community seem to think that we should continue our Community Fair, which was given such a good send-off last year. If that be the attitude of the people, then we will have one, a real good one this time. It just takes hard work, the cooperative spirit and planning ahead. Now is the time to be getting something ready to bring. Samples of crops, canning, preserving, live stock and all. Be thinking about who will make the best leader in your section to be responsible for your community booth. Pretty soon we will get out some rules and regulations and appoint some committees to go to work.

MAY FIRE LOSS DOUBLES OVER THAT OF YEAR AGO

Fire losses in North Carolina in May amounted to \$907,106, nearly twice as much as in May, 1930, due largely to six large fires, including a tobacco warehouse fire of \$400,000 in Winston-Salem; \$105,000 pining mill in Elizabeth City, a \$75,000 hotel in Southern Pines, a \$28,000 business block in Charlotte, and a \$21,800 business block in Reidsville. There were 185 fires in May.

TRY OUR WANT ADS.

BRYSON KILLS GIRL HE LOVES AND THEN ENDS HIS OWN LIFE

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long lived in the Namur section. Her father, Henry Hinkle, moved to Salem, S. C., a short time ago.

Bryson was well known throughout this and Jackson counties, and had friends by the hundreds who are shocked beyond expression at the awful double tragedy in which he alone took active part. He was a son of Robert Bryson, and a brother of Harry Bryson.

It is said that Bryson had been in love with the young girl for almost two years. Some friends of the slain girl say that she was not interested in Bryson, and repulsed his efforts at courtship. The theory most generally advanced for the double tragedy was that of a mad love which had no response from the girl. It is said that she was most studious in her school work, and ranked among the leaders of the sophomore class of Rosman High last year. She has several brothers and sisters who are with the parents in their new home in South Carolina.

Kilpatrick's hearse was called to the scene and is awaiting instructions from the families. It is not known Wednesday night when the funeral services over the two will be held.

COURT CALENDAR FOR TWO YEARS

Raleigh, July 8.—The court calendar for North Carolina, showing all courts in each of the 100 counties from July 1, 1931, to June 30, 1933, except those called during the period as special terms, has been completed by Henry M. London, legislative reference librarian, and is being sent to judges, clerks of court and others interested in the terms.

The calendar shows what judge will preside, whether the terms will last for one, two or three weeks, whether they are for trial of civil or criminal cases, or both, and whether special judge will have to be assigned, since some of the terms were ordered by the General Assembly and conflict with other terms in the district.

The schedule of hearings for the various districts in the N. C. Supreme Court, the times and places of meeting of the Federal Courts and of the Fourth District, U. S. Court of Appeals, are also shown.

Transylvania county will have four weeks of court in the fall and two in the spring. Judge H. Hoyle Sink will preside this fall and Judge J. H. Clement next spring. Judge Walter E. Moore will preside in the fall of 1932 and Judge Pender A. McElroy in the spring of 1933. The court calendar for Transylvania follows:

Fall 1931, August 3, two weeks mixed; December 5, two weeks mixed; spring 1932, April 4, two weeks mixed; fall 1932, August 1, two weeks mixed; December 5, two weeks mixed; spring 1933, April 3, two weeks mixed.

Miss Pearl Blanford of Louisville, Ky., is visiting her sister, Mrs. H. E. Boucher.

Mr. and Mrs. Roy Waters of Greer, S. C., spent the week-end with Mr. and Mrs. T. E. Waters in Brevard.

INCREASED WATER RATE MAY HAVE TO BE KEPT IN FORCE

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ments on the bonds—\$11,000 a year—that makes it necessary to increase the water rents, or place a levy on property and collect taxes to make up the difference.

It was shown in the report made by the mayor and the board that the new high rate adopted by the old board produces only \$9,600 a year, while the cost of operation is \$3,000 a year, and the interest \$11,000 a year, making a total charge of \$14,000 a year to be raised. Even the new rate lacks \$4,400 a year of raising enough revenue with which to pay the interest on the bonds and the operating expense.

Many citizens are now convinced, they say, that the new rate should be kept in force, so the \$9,600 a year could be obtained from those who use water, and applied on the annual cost of the system, leaving only \$4,400 to be raised from taxes on property to make up the difference. Under the old rate, the water collections brought a little more than \$5,000 a year, leaving \$9,000 a year to be raised through taxes on property to make up the difference.

Many people who were at first bitterly opposed to the new higher water rent now express the belief that it should stand, since it has been explained that the amount lacking from water rent collections must be paid by the citizens through taxes on their property. There is indication that the board will let the new rate stand, in view of the many expressions from citizens that it is their belief that the new rate should be enforced.

STATE TO INQUIRE INTO PRICES ON GASOLINE

North Carolina's experiment of maintaining all county roads, 45,000 miles, and taking over all prisoners sentenced for 60 days or more, was started July 1 with good prospects of success. The State took over more than 3,000 prisoners and released slightly more than 300, paroled by the Governor, who had sentences of less than 60 days.

Because of prices regarded too high, the State Highway Commission rejected all bids on gasoline at the opening of bids last week. The most definite result is the announcement of Attorney General D. G. Brummitt that he will conduct an investigation of prices and practices in respect to the sale of gasoline in this State, to see if there is "combination in restraint of trade," or collusion in price fixing. The hearings will begin Monday morning, July 20, at 10 a. m. in Mr. Brummitt's office in Raleigh. Subpoenas have been issued for the appearance of a number of witnesses, including representatives of the companies dealing in gasoline in this State.

OXFORD ORPHANAGE CLASS COMING THURSDAY, JULY 30

Plans are being made by Dunn's Rock Masonic Lodge and the Eastern Star for reception of the Oxford Orphanage singing class, to be here Thursday evening, July 30. The class will give a concert at the high school auditorium on that date.

Checkerboard Chatter

Volume 1 July 9, 1931 Number 31

Published in the interest of the people of BREVARD and TRANSYLVANIA County by the B & B Feed & Seed Co.

Female patient — "Dr. what shall I do for water on the knee?" Dr. "Wear pumps."

Come in, see our Grass and Clover seeds, and get our prices before you buy.

"When I hit a man, he remembers it." "Huh, you aint said nothing at all Bo. When it hits them, he don't remember anything at all."

We have fertilizers and the kind you want for side dress-

ing or for that late crop you are going to plant.

They thought the kid was some musician because he played on the piazza every day.

Let us figure with you on your feed needs for this summer — We have a feed for every need.

"I was in California and it didn't rain one day." "Ah, what day was that?"

Kill flies with Flit—we have it for sale.

Dr. — "About nine out of ten patients don't live through this operation. Is there any thing I

can do for you before I begin?" Patient — "Yes, hand me my hat."

"So you and your wife eloped?" "Yes, but I have since had reason to believe that her father bought the ladder I used and placed it just where I could not help but see it."

He: "Wanna fly?" She: "Oh, I'd just love it." He: "Just a minute and I'll catch you one."

B & B Feed & Seed Co. Brevard, N. C. The Store with the Checkerboard Sign

Blue Front Grocery and Market

FRIDAY and SATURDAY SPECIALS

RICE SIX LBS. 25¢	Green BEANS 4 LBS 25¢	SUGAR 3 Boxes XXXX 25¢
LARD 8 LBS. 87¢	Sweet PICKLES 1 Qt. Jar 23¢	PEAS No. 2 Cans 10¢
Armour's BRAINS 2 Cans, 12-oz 24¢	SUGAR 10 LBS 47¢	JELLY 3 Jars 25¢
CORN FLAKES 2 Boxes KELLOG'S 15¢	Sweet CORN 3 Cans, Yellow 25¢	Good COFFEE 2 LBS. 23¢
CORN MEAL 12 LBS. 25¢	Fresh CABBAGE Per Lb 3¢	Good FLOUR 25 LBS. 60¢
Carnation MILK 3 TALL 24¢	FAT BACK Per Lb 10¢	

Blue Front Market and Grocery