

TRANSACTIONS IN Real Estate

Waynesville Township
Charles W. Balentine and wife to C. C. Walker and wife.
Robert B. Garrett and wife to William R. Taylor.

Beaverdam Township
W. Z. Mann to R. B. Hipps and others, trustees of Beaverdam Methodist Church.
George W. Earley and wife to Hugh R. Earley and wife.

Pigeon Township
Walter Russell and wife to Rufus Russell and wife.
Canton Building and Loan Association and S. M. Robinson, trustee, to John Metcalf, Jr., and wife.

Jonathan Township
Moah Cagle and Arthur Cagle to Floyd Caldwell and wife.

White Oak Township
Ruban J. Kirkpatrick to Edward B. Kirkpatrick.

East Fork Township
Cleo Heatherly to Hobert Burnette.

White Oak Township
W. H. Sellars and wife to Cleo Heatherly.
B. W. Massie and wife to Cag A. McCoy and wife.

Crabtree Township
Bertha Haney Green and husband to French Haney.

The Time The Anti-Trust Lawyers Killed Their Own Case!

For ten years the anti-trust lawyers have been attacking the business methods that make it possible to give the public the best quality food at the lowest prices.

In our last ad we told you how Federal Judge W. H. Atwell, at Dallas, threw the anti-trust lawyers and all their inflammatory charges against A&P right out of his court.

But the anti-trust lawyers were not satisfied with decisions against them by three federal judges.

They still wanted to destroy A&P.

They Appealed to New Orleans

So they appealed Judge Atwell's decision to the three-judge Circuit Court at New Orleans.

One of the three, Judge Curtis L. Waller, agreed with Judge Atwell that the case should be dismissed.

The other two members of the Circuit Court, Judge Joseph C. Hutcheson, Jr., and Judge Allen Cox, although saying the case should be tried, agreed that the indictment was vague and contained many allegations which were inflammatory.

They decided that Judge Atwell at Dallas should protect A&P from these inflammatory allegations and could order the anti-trust lawyers to supply the defendants with a bill of particulars.

So the case was back in Dallas again.

Judge Atwell, carrying out the decision of the Circuit Court, struck out the inflammatory matter.

He said that without this inflammatory and prejudicial matter the Grand Jury might never have returned the indictment.

Judge Atwell said to the anti-trust lawyers: "There are many statements in the indictment which are not at all in violation, and are highly prejudicial and inflammatory."

The anti-trust lawyers objected. They advanced an amazing argument. They said that the removal of their inflammatory allegations (which all four judges had agreed did not belong in the indictment) destroyed their case.

Judge Atwell instructed the anti-trust lawyers to furnish the court with a bill of particulars. In short, he wanted specific charges instead of vague generalities. He set the deadline for furnishing this material at January 15th, 1944.

When the anti-trust lawyers twice asked for more time, pleading sickness among their staff, Judge Atwell extended the time to February 25th because he believed that they were honestly trying, in good faith, to prepare the material he had requested.

Actually, it developed, they were using the time to get ready to drop the case in Dallas and start it in another court.

They Quit in Dallas

On February 26th, while the judge was still waiting for his answer, and without any previous notice to him, the anti-trust lawyers gave a story to the newspapers in Washington, announcing that they were dropping the case in Dallas.

They said that it was their intention "to file a substantially similar suit in an appropriate jurisdiction at an early date."

The "early date" turned out to be the same day.

As soon as one anti-trust lawyer killed the case in Dallas, another anti-trust lawyer filed a new case in Danville, Illinois. This new case made most of the same allegations that had been made and dropped in Dallas; and that are being made against us today.

So now, according to the anti-trust lawyers, all four judges who had ruled on the Dallas case were wrong.

Despite defeats in three federal courts in widely separated parts of the country, they continued their campaign to destroy A&P.

When Judge Atwell heard of their action he ordered the anti-trust lawyers to prepare an order for his signature dismissing the Dallas case.

In signing this order he said to the anti-trust lawyers: "This nolle prosequi does not have the sanction or approval of this court. That is not necessary, nor that the government ask for the court's approval."

"It is, however, a matter that may be presented to the other court and may be of interest to the people at large."

So after their efforts to destroy A&P had failed in Washington, D. C., Wilson, North Carolina, and Dallas, Texas, the anti-trust lawyers moved on to Danville, Illinois.

They were still determined to destroy this company which had brought more and better food at lower cost to millions of American families.

They Were Wrong Three Times Before!

Three times the anti-trust lawyers went into federal courts and made serious and damaging charges against A&P.

Three times federal judges said the anti-trust lawyers were wrong and rendered decisions against them.

In previous ads in this series we told you about these other anti-trust "cases" involving us, which the judges said were not cases at all.

We think you should know about these previous cases, because once again the anti-trust lawyers are making damaging "allegations" that could seriously affect our business if they were believed by the public.

There was the time in Washington, D. C., when they said we and other good American citizens conspired to fix the price of bread in that city.

This was the time Federal Judge T. Alan Goldsborough ruled that A&P and the other defendants did not even need to put in a defense. He instructed the jury to bring in a verdict of "not guilty".

It was the time Judge Goldsborough said to the anti-trust lawyers:

"If you were to show this record to any experienced trial lawyer in the world, he would tell you that there was not any evidence at all."

"Honestly, I have never in my over forty years' experience seen tried a case that was as absolutely devoid of evidence as this. That is the honest truth. I have never seen one like it."

There was the time in Wilson, North Carolina, they said we and other good American citizens conspired to fix prices paid farmers for their potatoes.

This was the time Federal Judge C. C. Wyche directed the jury to bring in a verdict of "not guilty".

It was the time Judge Wyche said to the anti-trust lawyers:

"In my opinion there is no testimony produced from which it can reasonably be inferred that the defendants entered into a combination to depress or lower the price of potatoes."

"I might say that I never tried a case in my life where a greater effort, more work, more investigation had been done, combing almost with a fine-tooth comb to gather evidence."

"But, as was said a long time ago, you can't make brick without straw, and you can't make a case without facts."

There was the time in Dallas, Texas, when they made practically the same "allegations" they are making today.

This was the time Federal Judge W. H. Atwell ruled that the case should not even be tried. He said that the indictment contained inflammatory statements that he would not permit to be presented to a jury.

It was the time Judge Atwell said to the anti-trust lawyers:

"I know of no American rule, and I wish I had the power to underscore the word 'American,' which permits us to try a man because of his size."

"If I thought I was presiding over a court and that I might have to sentence some person because he was a great big fellow, or because he was a Lilliputian, I would feel like resigning. God knows we don't want it ever to occur in America that the size is going to determine whether a man is guilty or innocent."

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