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Town of Murphy Bears Name of Man Famous In History of State

By R. W. Prevost, In Asheville Citizens-Times

As strange as it may seem on first blush it is altogether fitting that this thriving city in the farthestmost bounds of Western North Carolina, should be the State's memorial to an early leader who was a lifelong resident of the lowlands.

Achilles Debow Murphy's championship of "the West" probably eclipsed his political career, but left a pattern for development of a great commonwealth, united by communication and intercourse, that was minutely followed many years later. In this, as in many other policies, his vision and comprehension were too advanced for his day and he came to be regarded as a radical. After languishing in a debtor's cell, he died in the prime of life, a broken and disappointed man.

Was Born in Caswell

The son of Col. Archibald Murphy, Revolutionary hero, and Jane De Bow of a prominent Dutch family of New Amsterdam, he was born in Caswell county, near Milton in 1777. As a lad he attended the school of the Rev. David Caldwell, of Guilford county, one of the three schools in the State that gave even the rudiments of a classical education before the university of North Carolina was established in 1795. In 1799 he graduated with first honors at the University and for three years taught there, two of them as head of the department of ancient languages. Having studied law in the meantime, he was in 1802, admitted to the bar and became attorney for the most prominent people in the State and the Moravian church at Salem. By 1818 he had become a Superior Court judge and was sitting on the State Supreme Court bench in the absence of justices, by appointment of the governor.

In the interim he had served for six years as state senator from Orange county, tutored many law students whose names were to become emblazoned in the State's hall of fame, and had published three volumes as "Reporter of the Supreme Court."

As senator he had made his celebrated and his historic report to the General Assembly, laying down a development program for the State which embodied an educational system which was flatly rejected in 1817 only to be enacted almost into in 1839 as the first public school law.

Rendered Valuable Service

But it was from 1815 to 1823 when chairman of the board of internal improvement, that he rendered most valuable service to "the West."

Intense rivalry between "the East" and "the West" in the General Assembly prevented public-spirited leaders from adopting constructive measures designed to aid the people west of the Blue Ridge in building roads and making other public improvements. Since, leaders of the seaboard counties argued, the people of "the West" had contributed nothing towards helping them build canals, deepen inlets and construct roads, they should not be required to pay taxes into a fund appropriated to road building in "the West."

Throwing himself into the breach, Judge Murphey attempted to unfold to the Easterners his vision of a great and united commonwealth. In vain he tried to convince them that development of the vast resources of "the West" would bestow advantages upon the entire state, and both direct and indirect benefits received by the eastern counties would be many times the taxes collected for road building in the highlands. In his masterful "Memoir" of Internal Improvement outlined the pressing needs of the State embracing communication, education court reforms and welfare work, but he was hopelessly ahead of his times.

Engineer Endorsed Plan

Undaunted by his waning political power and in the face of being regarded as a radical, Judge Murphey caused to be brought to the state Hamilton Fulton, a celebrated European engineer, who heartily recommended his state development program. The General Assembly refused to support any part of it, however, and, unwittingly halted the state's progress for many years.

Through a conspiracy of circumstances, Judge Murphey became the

victim of an antiquated judicial system which he had vehemently denounced and tried in vain to have changed. Although in comfortable financial circumstances as a young man, his activities in behalf of his state had proved costly and his investments turned out badly. He found himself heavily encumbered with debt.

Only Arthur Harris to whom he was indebted to the extent of \$2,138, pressed for attention—probably because of political enmity. In any event, Judge Murphey was placed in the common jail on November 4, 1829, and lingered there many weeks, perhaps months. Suffering from the wretched lighting and ventilation of the jail, Judge Murphey asked Sheriff James W. Doak one day to hold the door open for a few minutes that he might breathe again the fresh air and see the blue heavens. The sheriff, who had vigorously protested against serving the papers that would place his old friend in jail, not only opened the door for him, but left it open. It remained open until someone discovered that, in an opinion handed down by the supreme court in the case of Wilkes vs. Slaughter, 1824, the sheriff could be held responsible of all the debts of a prisoner if he left the way open for an escape—whether or not the prisoner escaped. On Judge Murphey's request the doors closed upon him again.

Buried At Hillsboro

Broken in body and spirit, Judge Murphey died on February 3, 1832, and was buried in Hillsboro. His grave near the door of the old Presbyterian church there remained unmarked for many years, until Judge A. M. Aiken, a great grandson and Mrs. Barzillia G. Worth, of Wilmington, a relative erected a monument to his memory.

Although recognized by succeeding generations as one of North Carolina's foremost leaders, the state has done little or nothing to preserve his memory.

"He was one of the most eminent characters in North Carolina," said Governor W. A. Graham, on one occasion. "In many attributes of a statesman and philosopher, he excelled all his contemporaries." * * * As an advocate at the bar, a judge on the bench, a reporter of the justice, a legislator of comprehensive intelligence, enterprise and patriotism, a literary man of classic taste, attainments, in style and composition, his name is a source of just pride to his friends and to his country.

"He was the most conspicuous character in North Carolina history," exclaimed Judge Jesse Turner, in praising the state for failing to give recognition of the services of this native son.

Naming of this Cherokee county town in his honor is the only public honor ever paid this great man, and, strangely enough the spelling of the name has been changed to omit the "e"—"Murphy" to confuse its origin.

Funeral For J. C. Bradshaw Fri. P. M.

J. C. Bradshaw, 64, died at his home at Tomotla, Thursday morning February 8th, of pneumonia, after an illness of about 8 days.

He was a member of the Tomotla Baptist church, from which the funeral will be held Friday afternoon at 2 o'clock, by the Rev. F. L. Clark of Canton, N. C. W. D. Townson, undertaker, in charge.

He is survived by his wife and four sons: Virgil, Grover, Willis and Noel, all of Tomotla; four daughters, Mrs. J. B. Hoyle, of Dillsboro, Mrs. A. J. Rowland, Misses Ada and Nina Bradshaw, all of Tomotla.

Made Famous by Song

The Suwanee river rises in the Okefenokee swamps in south Georgia and flows southwest, emptying into the Gulf of Mexico, 12 miles north of Cedar Keys, Fla., after a course of 240 miles. The scenery along its banks is attractive, and the river is celebrated throughout the country by the song "Old Folks at Home."

Unemployed Urged To Re-Register

All persons who registered before January 1, 1934, in the federal re-employment office are urged to re-register at once if they want to stay on the active re-employment list, V. I. Butt, manager of the local office said Tuesday.

Any person who registered before Jan. 1st, and who is still on the job or employed need not re-register until the job he is now working on is over, Mr. Butt said. However, all who wish to stay on the active list for re-employment must re-register at once.

SNOW 36 INCHES DEEP ON TELlico

The snow of last week, the first of the season for Murphey, reached a depth of 36 inches in the Tellico Mountains some 18 miles north west of Murphey, according to information brought to Murphey last Friday by Drew Davis, of Grandview.

Mr. Davis said that A. J. Hass, who lives out in the Tellico Mountains, 6 miles west of his place, came in during the snow, for some groceries and household necessities. Mr. Hass told him that he had been about seven hours coming the 6 miles, and that the snow was from 28 to 36 inches deep. The trip was made by foot.

The snow was 14 inches deep at Topton, according to information received. At Murphey it was barely 3 inches.

HOW AMATEUR ARCHAEOLOGISTS CAN AID NATIONAL RESEARCH

A Guide for Amateur Archaeologists Issued Under the Auspices of the Committee on State Archaeological Surveys and the Division of Anthropology and Psychology National Research Council, Washington, D. C.

(Editor's Note: Since the beginning of excavations on the old mound at the mouth of Peachtree Creek by archaeologists of the Smithsonian Institution, interest has been revived in Indian relics and legends. This article is timely and we believe of sufficient interest to warrant its publication. It tells how the amateur archaeologist may go about preserving the record of his Indian relics so that his finds will have some value from an archaeological standpoint.)

In 1920 the National Research Council organized the Com. on State Archaeological Surveys to encourage systematic study of the fast-vanishing Indian remains. In the ten years of its existence the committee has assisted in the formation of research organizations in various states, has sought to systematize and unify methods of investigation, and through publications, conferences and visits of its Chairman, has endeavored to keep all workers in the field informed of the progress of archaeological research throughout the United States.

The activities of the committee have been purely advisory. It has not sought to control the actions of any group or State, but has freely offered its help and advice in the advancement of scientific work. It now seeks to extend its services to amateur archaeologists and to all who are interested in the early history of our country. In presenting this booklet, the committee hopes to enlist the active cooperation of all intelligent laymen in the preservation of archaeological sites. It seeks to give information which will enable the local investigator to carry on work according to the most approved methods, so that he may assist in unraveling the story of human development on the American continent.

It is evident to everyone that the great majority of our Indian remains have already been destroyed. This has been due in part to the fact that many prehistoric sites have been occupied by white settlers who have found it necessary to level Indian mounds and earthworks in order to utilize the land for farm purposes, for city development, or to make way for roads. However, the greatest destruction has been wrought by curious hunters who have dug into the mounds in search of relics, without realizing that they were destroying valuable historical material. To open an archaeological site without knowing how to preserve the record is equal to tearing pages out of a valuable book, a book which can never be rewritten.

Funeral Held Thurs. For Robert McIver

Robert Davidson McIver, 39, brother of A. W. McIver, president of the Cherokee County Young People's Democratic Club, of Murphey, died at the United States Veteran's Hospital at Memphis, Tenn., Tuesday morning at 2:05 o'clock, after an illness of several months.

Mr. McIver was a member of the depot brigade attached to Camp Hancock, Chillicothe, Ohio, during the world war. Following his discharge from the service, he was employed by the Davey Expert company.

Born at Biltmore, N. C., May 27, 1894, the son of Robert Edward and Effie Davidson McIver, his parents moved to Murphey when he was about 10 years old, where he made his home until 1913. He married Miss Florence White, of Philadelphia, and for a number of years prior to his death, made his home in Pennsylvania.

Funeral services were held Thursday afternoon from the Murphey Methodist church by the pastor, the Rev. T. F. Higgins, and the Rev. Stewart H. Long, pastor of the Presbyterian church. Interment was in the old Methodist cemetery. Members of the American Legion were pallbearers, as follows: Active, A. M. Simonds, George Mauney, Henry Hickman, C. W. Bailey, John Odell, W. P. Odom, John B. Hall, Fred O. Christopher, Fred Johnson; honorary, Albert Maloney, T. J. Mauney, Fred Dickey, Dennis Barnett, Sheridan Heighway, E. O. Christopher and T. W. Axley, C. B. Hill, local funeral director, in charge.

He is survived by his wife and one brother.

COUNTY BOND INDEBTEDNESS IS \$1,102,500.00

Auditor Says There Is No Way Under The Sun To Liquidate At Par

"The bonded indebtedness of the county reaches the colossal total of \$1,102,500.00, plus Debt Service in default of \$77,557.39," says the report of R. C. Birmingham, certified public accountant, of Charlotte, in an audit report commenting on the condition of Cherokee county.

"There is no way under the sun for Cherokee County to ever liquidate its bonded indebtedness at par," the report continues, "and the sooner some adjustment commensurate with the county's ability to pay is made, the better for all concerned."

Mr. Birmingham finds the budget of the county in excellent position, which indicates that the financial affairs of the county are being ably and economically administered. The only over drafts above budget estimates or allotment being found in the divisions of the courts, jail and health departments, over which Mr. Birmingham says the governing body has very little control.

By resolution on the first Monday in November, the commissioners ordered that all taxes collected for the year 1933 be applied and paid out for the purpose for which the budget levy was made for that year, and the tax sale certificates and other indebtedness due Cherokee County be applied to the payment of the past due indebtedness of the county as fast as it is collected. This policy of the Board has resulted in keeping the fiscal affairs of the county in better shape, E. C. Moore, chairman of the board, stated, in connection with making the audit report public. This assures the money being placed where it was intended, instead of being applied here and there in small sums, and when a fiscal bill falls due no money is available to pay it.

The letter of Mr. Birmingham, including his comments on the report, follows:

Charlotte, N. C.
Dec. 6th, 1933.

Mr. E. C. Moore, Chairman, Cherokee County Board of Commissioners, Murphey, N. C.

Dear Sir: I beg to hand you herewith statement reflecting the Financial Position of CHEROKEE COUNTY as of November 15, 1933. Also a statement showing the Position of the Budget as of the same date. I am also attaching hereto a Summary of Account with Tax Collector Frank J. Bristol covering 1932 taxes. The detail covering this account is on file with the County Accountant.

Find settlement was not effected with Mr. Bristol inasmuch as he had not at November 15, completed the preparation of the Land Sales Certificates, neither had he received credit by the Board of Commissioners covering the 1932 insolvent list.

You will note by referring to the statement of Financial Position that: Cash in Bank amounted

to	\$ 3,966.17
Total Uncollected Taxes were	152,357.90
Total Tax Certificates (net)	58,264.95
Accounts Receivable amounted to	201.00
Due By Schools	1,787.34
Deferred Charges totalled	31,975.59
Cash in Closed Banks was	9,692.63
and	
Notes Payable amounted to	6,236.19
Debt Service In Default was	77,557.39
Uncollected Taxes accruing to the Schools amounted to	48,145.24
Surplus of All Funds totalled	126,306.76

As ready information I will comment on certain of the balance sheet items as follows:

Uncollected Taxes:
1933 L. L. Mason \$100,912.03
1932 F. J. Bristol 49,528.40
1930 N. W. Abernathy 1,917.47
The total of the 1933 taxes were \$106,315.89 of which the sum of \$5,403.86 had been collected at November 15.

The balance of the 1932 taxes amounting to \$49,528.40 is subject to the tax certificates and the insolvent.

The amount of \$1,017.47 balance Continued on page 4)

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