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## DRYS ENJOIN CONTROL ELECTION

### HEARING SET FOR WEDNESDAY JUNE 19TH

Before Judge Clawson L. Williams at Raleigh—Complaint Signed by W. H. Yarborough and G. M. Beam, Attorneys for Plaintiffs and S. E. Wilson, Affiant—Not to Interfere With Machinery Until After Hearing—Complaint Charges Unconstitutionality and Sets Up Claim to Substantiate Charges

That the Dry, or anti-control force in Franklin County are making an effort to stop the election called for Saturday, June 29th, 1935 for the purpose of determining the wishes of Franklin County voters on whether or not the sale of whiskey within the County should be put under control and taxed was made evident on Monday when they secured an order signed by Judge Clawson L. Williams, to appear before him in Raleigh at 2:30 o'clock on June 19th, 1935, to show cause why the election should not be permanently enjoined, directed to the members of Franklin County Boards of Commissioners and Elections.

The affidavit and complaint, which was signed by W. H. Yarborough and G. M. Beam, attorneys for the plaintiffs, and S. E. Wilson, affiant, listed as plaintiffs J. T. Incoe, J. L. Brown, C. T. Hudson, J. N. Shearon, S. C. Eaves, S. E. Wilson, J. J. Cooper, J. R. Pearce, C. C. Pippin, D. O. Murphy, J. R. Parrish, of Franklin County, and Charles Ruffin, of Wake County, and the bond was signed by S. E. Wilson, S. H. Averitt and McM. Furgerson.

The complaint covers seven legal size pages closely typewritten and besides the formalities and other things set out the following, which constitutes the gist of the argument:

That the plaintiffs are informed and believe, and so aver, that said House Bill No. 1491, so attempted to be enacted by the General Assembly of North Carolina, is unconstitutional and void, for that:

(a) Said Act violates Article 1, Section 7, of the Constitution of North Carolina; that it attempts to supersede and nullify in respect to the counties named therein, a general and public law prohibiting the sale, possession and transportation of intoxicating liquors, which was designed to operate without exception or partiality throughout the state; that it sets at naught the guarantee of said Section of the State Constitution that every valid enactment of a general law applicable to the whole state shall operate uniformly upon persons and property, giving to all under like circumstances equal protection and security, and neither laying burdens, nor conferring privileges upon any persons that are not laid or conferred upon other persons of the same circumstances and conditions; that it violates that fundamental principle of law which declares that in the exercise of the police power classification must be natural, not arbitrary, and must always rest upon some difference which bears a reasonable and just relation to the Act in respect to which the classification is proposed and can never be made arbitrarily and without any such basis.

(b) That said Act violates the Fourteenth Amendment to the Constitution of the United States, which guarantees to every person equal protection of the laws.

(c) It provides that money shall be advanced by said Commissioners from the general fund of said County to the County Liquor Commission to be known and designated as the Franklin County Alcoholic Beverage Control Board, "such sums as may be necessary to purchase stocks, fixtures and equipment, and to provide operating capital and expenses to carry out the provisions and enforcement of the bill or statute;" and gives to the said proposed Board of Control power and authority to borrow money, issue, sign and endorse checks, promissory notes, bills of exchange and other negotiable instruments, to buy intoxicating liquors, whiskeys, etc., and number of stores that the said proposed Board of Control may desire to establish; to buy the furniture, pay rent, salaries of the said members of the Board and their employees, also their expense, and all in an unlimited amount, except the salaries of the three members of the Board, and their individual expenses incurred in their official duties and that said Bill was not passed as is required by Article 2, Sec. 14 of the North Carolina Constitution.

(d) The same is a local and special Act, attempting to regulate health, the quality and purity of

article and liquids used for human consumption, defining nuisances, and regulating the abatement of nuisances, and regulating labor and trade, and was passed by the partial repeal of a general law and was, and is forbidden by Art. 2, Sec. 29 of the North Carolina Constitution.

The closing of the complaint contained the following:

That the defendants, unless restrained, will proceed to hold an election under said Act and Statute, at a considerable cost and expense to the taxpayers of Franklin County, and if the same should be approved as provided therein, the said Board of County Commissioners will proceed to appoint three members of the Franklin County Alcoholic Beverage Control Board who in turn will proceed to set up stores, and sell intoxicating liquors therein, and otherwise to carry into effect the provisions of said Act therein, all to the damage and injury of the plaintiffs and other taxpayers of Franklin County.

Wherefore, the plaintiffs pray that the defendants, and each of them, be enjoined from taking any action under said alleged statute, from registering voters, holding an election, renting or buying any stores, or establishing any liquor store, or buying or selling any liquors or alcoholic beverages, or appointing any members of the Franklin County Alcoholic Beverage Control Board, or in any way spending any money of the County of Franklin, or pledging the faith or credit, or borrowing any money, or taking any act or proceeding under said void statute, and for costs and general relief.

It was explained by the attorneys that this order will not effect the operation of any of the election machinery until after the hearing before Judge Williams next Wednesday, when it is expected quite a large number of Franklin's citizens representing both sides of the question—Control or no Control—will attend the hearing in Raleigh.

## Recorder's Court

Only two cases were tried in Franklin Recorder's Court Tuesday and three continued for various reasons. The docket was as follows:

J. M. Dodson was found guilty of operating automobile intoxicated, to be discharged upon payment of costs and \$50 fine and required not to operate a car for 90 days.

Roland Jordan, J. H. Williams, and Johnny Jordan, plead guilty to drunk on public highway, disturbing public worship, using profane language on public highway, 6 months on roads, stayed payment of costs.

Tra L. Cash, abandonment and non-support, continued.

Vance Medlin, operating automobile intoxicated, continued.

James Cooley, larceny, continued.

THANKS

We wish to express to our many friends and neighbors our sincere appreciation and gratitude for the many expressions of sympathy rendered us during the recent illness and death of our father.

Bessie and Reuben Strange.

## Program At The Louisburg Theatre

The following is the program at the Louisburg Theatre beginning Saturday, June 15:

Saturday—Bob Steele in "The Ridin' Fool."

Sunday—Mary Astor and Jackie Cooper in "Dinky."

Monday—Bette Davis in "The Girl From 10th Avenue."

Tuesday—Ann Sothern, Gene Raymond and Bill Robinson in "Hokey For Love."

Wednesday—Roger Pryor and Heather Angel in "Headline Woman."

Thursday—George Arliss in "Cardinal Richelieu."

Friday-Saturday—Shirley Temple in "Our Little Girl."

Last Showing Today—Al Jolson and Ruby Keeler in "Go Into Your Dance."



## MRS. FRANKLIN D. ROOSEVELT AT CHAPEL HILL

Chapel Hill, June 11.—Mrs. Franklin D. Roosevelt, delivering the principal address at the 140th commencement of the University of North Carolina, tonight told the 410 graduates of the institution that for their sake and the country's sake she hoped they would go out into the world dissatisfied with the conditions they will find.

"I wish for you a real curiosity about the world and its people," she said, "and a real desire to live so that the rest of the country will be glad that you have lived."

And to this she added the hope that they all would keep their sense of humor.

Largest Finals Crowd

Speaking in Kenan Stadium as the sun set and green forest turned dark and then black, Mrs. Roosevelt, first woman commencement speaker in the history of the university, made a profound impression on the largest crowd ever to attend a University commencement exercise. It was estimated at 9,000.

She used no manuscript and few notes in her informal talk. Repeatedly she was interrupted by applause, the most of it starting among young men and women in caps and gowns, to whom she addressed her remarks.

Honorary Degrees

After the academic degrees had been awarded, Mrs. Roosevelt and four other distinguished citizens of the nation were given honorary degrees. Mrs. Roosevelt, for her work in an effort to improve the lives of others, was made an LL. D. The others honored were: Dr. Holland Thompson, historian of the College of the City of New York, LL. D.

Rufus L. Patterson, industrialist of New York and graduate of the University, LL. D.

Dr. J. K. Hall, distinguished

psychiatrist and president of Westbrook Sanatorium, Richmond, LL. D.

Dean W. E. Rollins, of the Episcopal Theological Seminary, at Alexandria, Va., D.D.

Introduced By Daniels

Ambassador Josephus Daniels introduced Mrs. Roosevelt as the "noble woman who presides over the White House but comes here in her own rights as a leader of all causes that work for the betterment of mankind."

"As the wife of the President," Mrs. Roosevelt began, "I am here tonight to carry to the graduates his best wishes as well as my own. But in my own right I am here because I have a great interest in the youth of today."

"There are difficult times. . . . We cannot say that we are satisfied with our country or the condition of our country as it is today."

To right that condition, she said, should be the aim of every graduate of every college. They having had the greater opportunity, there is the greater responsibility. It holds in every field of human endeavor.

Under-Production

For instance, said Mrs. Roosevelt, "We do not produce in this country enough to give everybody, even though they be industrious, a decent standard of living."

And even if we did, our system of distribution is not adequate to supply goods produced to everybody.

"We have got to work out a new way of doing things," she said, "we have the machine age but we do not know enough to handle it."

Pay no attention to those who advise "try the safe things which won't get you into trouble," Mrs. Roosevelt urged the graduates.

Flood Rescuers Rig Makeshift Breeches-Buoy

DENVER . . . The above flood scene is typical of the struggles against the waters in six states which cost 116 lives as this report was filed. The rescue of an exhausted man from the roof of his home with the aid of a makeshift breeches-buoy (above), was but one of the Colorado Springs rescues. Nebraska and Colorado suffered greatest life and property loss.

## Association Elects Officers

Raleigh, June 10.—An advisory committee was created and Dr. Clarence Poe, editor of the Progressive Farmer, W. A. Graham, State commissioner of agriculture, and T. E. Browne, State Supervisor of Vocational Education, named members of it at the June meeting of the board of directors of the North Carolina Cotton Growers Cooperative Association.

At the same meeting all officers of the cooperative were re-elected for another year. Dr. G. M. Pate, farmer and banker of Rowland, was re-elected president, and L. Bruce Gunter, farmer and lawyer of Fuquay Springs, was re-elected vice-president.

M. G. Mann, who has been with the cotton association for 10 years in the capacity of director of field service, assistant general manager, secretary-treasurer or general manager, was re-elected secretary and assistant secretary.

G. D. Arndt, who has been connected with the cooperative from its beginning in various capacities of importance, was re-elected treasurer and assistant secretary.

In his report to the board, Mr. Mann pointed out that although the cotton crop in 1934 was far below normal, in this State, that the cooperative handled more bales during the 1934-35 season than it had in several years. He said prospects are "bright" for the coming season.

## Benefit Masonic Lodge

Louisburg Theatre announces it will present "Woman in Red" by Barbara Stanwyche, at 12 o'clock mid-night, Friday (tonight) night the proceeds to be given to the Louisburg Masonic Lodge. This is said to be a splendid play and will be appreciated by all who attend.

## Big Fish

Dr. C. H. Banks was displaying the head of a tremendously large chub caught by his son Mitchiner at Mitchiners lake recently. The mouth when stretched measured 4-8 in. in diameter and, we are informed, it weighed 9 pounds 15 1/2 ounces. This is about the largest we have heard of in this section. Dr. Banks reports catching one weighing 5 1/2 pounds recently.

## WOMEN ORGANIZE PHA GROUP

A large delegation of Franklin county women met in the court house Thursday afternoon of last week and completed organization of the local unit of the Federal Housing Administration, Women's Division.

Mrs. George W. Cobb was chosen as the chairman; and Mrs. G. C. Patterson was made first vice-chairman, and Mrs. Al Joyner, of Franklin, second vice-chairman. Committee chairmen from the different townships are as follows: Hayesville, Mrs. Durwood Dickie; Sandy Creek, Mrs. William Person; Cypress Creek, Mrs. Arthur Strickland; Gold Mine, Mrs. John Neal; Dunn, Mrs. C. C. Pippin; Harris, Mrs. Frank Justice; and Cedar Rock, Mrs. Spencer Dean.

Y. W. A. ANNOUNCEMENT

The Y. W. A. of the Louisburg Baptist Church will meet Tuesday evening, at 7:30 in the basement of the church for its special Fannie Heck program. Every member is urged to be present.

Send us the news.

## Sails Largest Ship



NEW YORK . . . Above is Captain Rene Pagnet who brought the world's largest ship into port here on a record maiden trip from France. The liner is the Normandie, pronounced the greatest water craft ever built.

## "Cardinal Richelieu"

Starring Arliss at Louisburg Theatre Thursday, June 20th.

"Cardinal Richelieu," George Arliss' latest starring vehicle for Darryl Zanuck's 20th Century Pictures, which comes to Louisburg Theatre Thursday, June 20th, marks the distinguished star's sixth great historical screen characterization. With this portrayal the red-robed prelate who stood behind the throne of Louis XIII of France takes his place beside Disraeli, Alexander Hamilton, Voltaire, Nathan Rothschild and the Duke of Wellington.

In this most recent and most pretentious effort, Arliss has the support of Maureen O'Sullivan, Edward Arnold, Francis Lister, Douglas Dumbrille, Cesar Romero, Violet Cooper, Kathryn Alexander, Lupaden Hare and Halliwell Hobbes.

The screen story was prepared by Cameron Rogers and Maude T. Howell and based on Sir Edward Bulwer-Lytton's famous play, W. P. Lipscomb wrote the dialogue. Rowland V. Lee handled the megaphone on this Joseph M. Schenck presentation, released through United Artists.

## Gold Sand Alumni Meet

A rather unique occasion among high school graduates was observed on Friday night, June 7th when the Gold Sand High School Alumni Association met for its annual banquet. The dinner was served in the Home Economics department of the school building and was well attended by alumnae and alumni of every graduating class since the first class of 1927.

Bruce Tharrington, president of the association and toastmaster for the evening, gave the welcome address in which he urged every member to stand by the cause, stating that every student bore certain obligations to the school which did not cease to exist when he was given a diploma.

A roll call revealed that the graduates were following a varied number of occupations, and furthermore that Cupid has not been inactive with his darts recently, which gives to all who still have their freedom a feeling of optimism in the belief that they too have a chance to lose it.

The principal address, delivered each year by an alumnus, was given by Linwood Murphy who teaches history at Bonlee High School in Chatham County. Mr. Murphy gave an interesting outline of the progress of education, and showed by comparison how much better advantages a student now has than were available for those even a generation ago.

Following the address Stuart Parrish gave a reading, and a piano solo was given by Emily Burt Person.

In the business session a motion to retain the twenty-five cent general assessment fee was approved. Bruce Tharrington was re-elected President of the association for another year. Other officers are: Vice-President, Ruffin Harper; Secretary-Treasurer, Emily Burt Person; Reporter, Thomas Speed. In closing the body jointly gave an expression of thanks to the local Woman's Club which was largely responsible for the preparation.

—Reported.

## AUXILIARY TO MEET

The American Legion Auxiliary will meet next Tuesday afternoon, June 18th, at 3:30 o'clock at the Welcome Inn Tea Room with Mrs. J. E. Malone, Jr. and Mrs. Ruth Stancil, hostesses. All members are urged to be present as June is Fido's month and a Fido's pageant will be given.

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## Organizes For Electricity

Rural Electrification Meeting Held at State College, Raleigh, Perfects Organization by Electing Officers

A meeting of a Committee composed of three members each from the three Counties, Franklin, Johnson, and Wake met at State College Wednesday afternoon and organized into a tri-County District for the expressed purpose of formulating plans and outlining steps of procedure in regards to procuring Electrical energy for the three County districts under the New State and Federal Rural Electrification Authority.

The meeting was called to order and the three Counties were duly organized into one district by the election of J. Paul Shaw (of Wake) Chairman, A. T. Lassiter (of Johnson) Vice Chairman, and M. Thomas Lamm (of Franklin) Secretary. A Committee composed of J. Paul Shaw, A. T. Lassiter, and M. Thomas Lamm was elected to meet with Prof's Weaver, Burton, and J. M. Granger and draw up a petition to the N. C. R. E. authority, setting forth the date, possibilities, etc. covering the District. The petition was drawn and was unanimously accepted by the Assembly. Mr. Shaw was requested to have this petition read to the North Carolina Rural Electrification Authority in their first meeting on next Saturday a. m.

A Sub-Committee composed of one member from each of the three Counties was selected to represent the district in the matter of conferring with and furnishing data and other necessary information to the State Authorities on Rural Electrification. Messrs. H. Thomas Lamm, A. T. Lassiter, and Russell Powell were elected to represent Franklin, Johnson, and Wake Counties respectively.

The meeting was also attended by a large number of Vocational Agricultural Teachers and County Agents of the District and much interest was shown in the proposed Electrical Project.

## From Ingleside

A recent twenty-five mile drive in portions of Franklin and Warren Counties revealed a very poor prospect for a cotton crop—with a late, small weed and a bad stand. There seems to be a general good stand of tobacco, which looks well. Corn and other crops noticed were only ordinary.

Among the recent unannounced births is a daughter born to Mr. and Mrs. Johnnie Roberson.

Mr. Talmadge Edwards, of Raleigh, indisposed the past few days, came home Tuesday for a rest.

Dr. G. L. and Mrs. Whitfield, their son, Frank, and Miss Sue Whitfield, of Franklin, were recent pleasant callers among Ingleside friends.

Chicken thievery is becoming quite active again in and near the village, some having lost chicks as recent as the past two nights. The public will probably hear more about this chicken and other stealing business now going on before long—one way or another.

Some miscreant, or worse misfit made a two inch slit in the gas hose of the J. Y. Beasley service station during Sunday afternoon. The place is not kept open on Sundays, but cars frequently stop there in passing not knowing that fact. It is believed here that some scamp did it purely to insatiate his innate desire for devilry.

I am requested to announce that Evangelist J. H. French will begin a series of services here on Saturday, June 15, at 8 o'clock p. m. The tent will be located on the lot between Mannings' Store and O. H. Tutor's residence. Mr. French, who states that he is undenominational, has held services in Henderson and at other places in the community for some time. A cordial invitation is extended the public to attend the services.

Mrs. Frank Freeman and two children, Sara Atwood and Frankie of Charlotte, have returned home from a visit with her parents, Mr. and Mrs. George Manning.

## TYPHOID FEVER

According to Dr. R. F. Yarborough, County Health Officer, a case of Typhoid Fever has been reported in Hayesville Township, Louisburg, R. F. D. No. 3. Every one who has not been vaccinated in the past year or two should be at once.

The third case of Infantile Paralysis has been reported. Children should be kept at home as much as possible and certainly out of crowded places.

The recent hail storm in Nash County devastated a section two miles wide and about 15 miles long with cotton being damaged more than tobacco.

In hard times, the buyer wins all arguments.