

Advertising Rates
On Application.

THE ROBESONIAN

One Dollar and
Fifty cents the Year.

ESTABLISHED 1876.

Country, God and Truth

VOL. XXXIX, NO. 23

LUMBERTON, NORTH CAROLINA, MONDAY, MAY 11, 1908.

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WHOLE NO. 2364

Silverware!

If it's a Piece of Silverware,
Either Hollowware or Flatware,
SEE US. A Nice Assortment
Always Carried in Stock.

We will receive now Shortly
a New Supply of 1847 Rodgers
Brothers' Flatware. Save us
Your Orders.



Boylin's Jewelry Store.

The K. P. Guano Distributor



Scatters the Guano and Covers
it. No waste around stumps and
ends. No clogs and chains to clog
and break. Nothing about it to
break or get out of fix. Large
hopper, balanced load, light run-
ning. Sows any quantity. Simp-
le, strong, durable. Awarded
Diplomas by North and South
Carolina Fairs. Unquestionably
the only Entirely satisfactory
Distributor before the people.

For Sale by Leading Dealers in Robeson and Adjoining Counties.
N. JACOBI HARDWARE COMPANY,
Wilmington, N. C.

The Most Skilful Player



Cannot produce really fine music from
a poor Piano. The purchase of such an
instrument is a mistake, the selling of
one is worse.

When You Select a Piano
Here we are always glad to have you
bring an expert player with you. Then
the tone and volume of our pianos are
brought out in all their beauty. Then
the quality of our instruments is proven
better than any attempt at description
we might make.

Eagle Furniture and Carpet Co.

Lumberton, N. C.

A Reliable Bank

Is one which puts the Interests of its Depositors above the
Interests of its Officers and Stockholders.

Conservative and Safe Management is more Important than
Big Dividends.

It has been the Policy of this Bank to follow these Ideals.

Our President and Cashier borrow no money of the bank.

We require the same security of every one who bor-
rows from us.

Not a Dollar Lost by Bad Loans in our Existence of
Eleven Years.

Is it to Your Interest to Deal With Such a Bank?

Open an Account with us and be Convinced.

The Bank of Lumberton,

Lumberton, N. C.

A. W. McLEAN, President, R. D. CALDWELL, Vice-Pres.
A. E. WHITE, Vice-Pres. C. B. TOWNSEND, Cashier,
THOS. J. MOORE, Ass't Cashier.

Your Money Grows!

If You Deposit it in our Savings Bank.

We pay 4 Per Cent. Interest, Compounded every
Three Months, on any sum from 25 Cents Upward.

Now is the Time to begin to save, and opening an ac-
count with our Bank is the Best Way to begin the Sav-
ings Habit.

If you are our customer, we lend you money when you
need it.

Your money when Deposited with us, is payable on De-
mand.

If you have no account with us, call or write us for fur-
ther particulars about our methods.

Robeson County Loan and Trust Company,

(Bank of Lumberton Building.)
LUMBERTON, N. C.

A. W. McLean, Stephen McIntyre, C. H. Morrow
President, Vice-President, Cashier.

Let Us Do Your Job Printing!

WE MAKE A SPECIALTY OF
Commercial Work.

SEND US YOUR ORDERS.

Freeman Printing Co.,

Lumberton, N. C.

READ ROBESONIAN BUSINESS BUILDERS.

COMMISSIONERS AND FINANCE BOARD.

Members of Board of Audit and Finance Refuse to be Sworn By Commissioners and to Testify Concerning How They Investigated Officers—Preamble Accompanying Subpoena and Statements From A. and F. Board and ex-Sheriff McLeod.

Mention was made in Thurs-
day's Robesonian of lengthy
communications received by the
board of county commissioners
at their meetings held last Mon-
day and Monday night, these
communications being called
forth by the subpoena issued by
the commissioners for the mem-
bers of the board of audit and
finance to appear before them
at their meeting on the 4th of May
and give any information in their
possession that would enable the
commissioners to settle with ex-
Sheriff Geo. B. McLeod. It will
be recalled that the members of
the board of audit and finance were
requested to meet with the com-
missioners on April 21st for this
purpose. This the members of
the audit and finance board failed
to do, but they sent to the com-
missioners a statement, which
was published in The Robesonian
of April 23rd. As stated in
Thursday's Robesonian, ex-Sheriff
McLeod has brought suit
against the commissioners for a
settlement of his tax accounts,
and in order that readers of The
Robesonian may understand
from their own statements the
positions taken in this matter by
the board of commissioners, the
board of audit and finance and
by ex-Sheriff McLeod, it has been
decided to publish their state-
ments in full. The communica-
tion from the board of audit and
finance to the commissioners on
April 21st has already been pub-
lished. The next step was the
subpoena served upon each mem-
ber of the board of audit and
finance. Accompanying this sub-
poena was the following preamble
and resolution, unanimously
adopted by the commissioners at
their meeting on the 21st of April:

"Whereas, the time limited
by law for the settlement of the
State and county taxes for the
years 1906-1907 has long since ex-
pired; and

"Whereas, Geo. B. McLeod,
ex-Sheriff of Robeson county,
has appeared before this board
and requested a settlement of his
tax accounts for said years; and
"Whereas, it appears to this
board that the statement of
the tax accounts of the sheriff of
Robeson county for the years
1906-1907 as contained in the re-
port of the board of audit and
finance of Robeson county, dated
December 21st, 1907, and in the
further and final report of said
board dated February 29th,
1908, are so meagre and incom-
plete that no intelligent settle-
ment of said tax accounts for
said years can be had thereby; and

"Whereas, it further appears
to this board that said reports
filed by said board of audit and
finance that the said board has
failed to make a separate report
as to the various county funds
for said years 1906-1907, and
that the reports as filed fail to show
what amounts, if any, are due by
George B. McLeod, ex-sheriff,
to each of the various funds, and
that said board has lumped the
entire amount due by said ex-
sheriff into the general county
fund; and

"Whereas, it appears to this
board that it is impossible to de-
termine from the said reports of
the board of audit and finance
what sums, if any, is now due by
said George B. McLeod, ex-sheriff,
to the general county
fund; what sum, if any,
is due to the general
school fund; what sums, if any,
are due to the various special
school tax districts; what sum,
if any, is due to the general road
fund; what sums, if any, are due
to road funds of various town-
ships in the county; and what
sums, if any, are due by him on
account of license and privilege
taxes for said years 1906-1907; and

"Whereas, it further appeared
to this board that ex-Sheriff
George B. McLeod has appeared
before this board and has offered
to make settlement of his tax
accounts for said years in ac-
cordance with the amount found
by said board of audit and finance
to be due by him to the general
county fund, to-wit \$521.03, pro-
vided the board receipt him in full
against all claims for taxes due
by him for said period; and

"Whereas, at the same time
said ex-sheriff has notified this
board that said amount does not
correctly represent the amount
due by him to the county of Robe-
son for taxes collected during
that period, and that while, as he
contends, he does not owe the
general county fund, still that he
owes the school and road funds
an amount greater by several
hundred dollars than the board of
audit and finance finds he is due
to the general county fund; and
"Whereas, the said ex-sheriff
has also offered to settle with
this board upon the basis of the
amount due the county for that
period as claimed by him as
aforesaid; and
"Whereas, in view of the afore-

said statements made by said
ex-Sheriff McLeod, and in further
view of the meagre information
before this board as to the cor-
rect statement of the tax ac-
counts for said period, and in
view of the further fact that no
information whatever is before
this board as to the proper dis-
tribution of the amount due by
said ex-sheriff to the various
county funds, and in further
view of the fact that no informa-
tion whatever is before this
board as to how any of the
amounts arrived at, this
board is unable to accept any
settlement from ex-sheriff
George B. McLeod, and

"Whereas, at the meeting of
this board held on April 16th,
1908, a communication was pre-
sented to this board by said
Sheriff George B. McLeod, as of
record will appear, and thereupon
a resolution was passed by
this board that the clerk of the
board be directed to address
communications to each member
of the county board of audit and
finance, enclosing a copy of the
communication aforesaid, and re-
questing each member of said
board of audit and finance to
meet with this board on this date
to advise with us and to assist in
effecting a settlement of the tax
accounts of ex-Sheriff George
B. McLeod for the taxes of 1906-
1907; and

"Whereas, the clerk of this
board advises us that such no-
tice was duly given to each mem-
ber of said board of audit and
finance; and it further appears to
this board that the said board of
audit and finance, and each
and every member thereof, has
failed, neglected and refused to
comply with said request, and
has failed, neglected and refused
to appear before this board
at the time and place requested,
although a majority of the said
board are at this time in the
town of Lumberton, and were
present during the meeting of this
board and had ample opportuni-
ty to comply with the said re-
quest; and

"Whereas, ex-Sheriff George
B. McLeod is again before this
board and is demanding settle-
ment of his tax accounts for the
years 1906-1907 and has made
tender of the amount found by
said board of audit and finance
to be due from him to the gen-
eral county fund and has also ten-
dered to this board the amount
due by him to the county as cal-
culated by him, the same being
larger in amount than the
amount found by the board of
audit and finance; and

"Whereas, on account of the
matters above set forth it is im-
possible for this board to effect
an intelligent settlement of the
tax accounts of ex-Sheriff Geo.
B. McLeod for the years 1906-
1907 with justice to the county
of Robeson without further in-
formation from the board of au-
dit and finance of Robeson county
and without further figures
as to the amounts due the vari-
ous funds of the county, both
general and special, for said pe-
riod;

"Therefore, be it resolved by
the board of commissioners of
Robeson county, that the chair-
man of this board be and is
hereby authorized and in-
structed to forthwith issue a
legal subpoena to compel the at-
tendance of A. B. Pearsall, Gra-
ham McKinnon and J. M. But-
ler, before this board at a meet-
ing to be held at the county jail
at Lumberton, on Monday, the
4th day of May, 1908, it being
the first Monday in May, 1908,
at 1 o'clock p. m., then and there
to testify as to all such matters
and things as they shall know of
and concerning the correct and
proper amount of taxes due to
the county of Robeson by ex-
Sheriff George B. McLeod on
account of taxes collected by
him for the years 1906-1907; and
to give testimony of all such
matters as they shall know of
and concerning the correct and
proper amount due by the said
George B. McLeod, ex-sheriff,
for said period to the various
funds of the county of Robeson,
including the general county
fund, the general school fund,
the various special school tax
districts, the general road fund,
the various township road funds,
and also on account of license
and privilege taxes; together
with all such matters and things
as they shall know of and con-
cerning the accounts of said ex-
sheriff with the county of Robe-
son for the taxes collected dur-
ing the years 1906-1907; and the
said chairman will further re-
quire the said parties and each
of them to have and bring with
them, and produce at the time
and place aforesaid, all books,
papers, memoranda or docu-
ments as they may have which
contain any information as to
the matters thereinbefore re-
ferred to, or as bear upon the
tax accounts of ex-Sheriff Geo.
B. McLeod with the county of
Robeson for the years 1906-1907.

At the meeting of the com-
missioners on Monday the mem-
bers of the board of audit and
finance appeared before them
with their attorney, Col. N. A. Mc-
Lean, and moved through their
attorney to quash the subpoena
for them on the ground that the
board of county commissioners
has no authority or jurisdiction
to examine the members of the
board of audit and finance as to

matters upon which they have
acted. The motion was overruled
and the board of audit and
finance excepted. Col. McLean
addressed the commissioners at
length in support of the claim
that the commissioners have no
power or authority to examine
the members of the board of au-
dit and finance, either as officials
of the county or as private indi-
viduals, concerning any matters
connected with the tax accounts
of ex-Sheriff McLeod. Informa-
tion forth in the subpoena was
again demanded and Mr. A. B.
Pearsall, chairman of the audit
and finance board, asked and was
given permission to read the fol-
lowing statement:

Lumberton, N. C.,
May 4th, 1908.
TO THE BOARD OF COMMISSIONERS
OF ROBESON COUNTY:
There has been served on me,
by the sheriff of Robeson county,
a subpoena issued by J. W. Car-
ter, chairman of your board,
dated April 21st, 1908, which
subpoena directs me to appear
before the board of county com-
missioners on Monday, May 4th,
1908, "then and there to give evi-
dence concerning all such mat-
ters and things as I shall know
of and concerning the correct
and proper amount of taxes due
to the county of Robeson by ex-
Sheriff Geo. B. McLeod, on ac-
count of taxes collected by him
for the years 1906 and 1907, and
of all things I may know of and
concerning the correct and prop-
er amount due by the said Geo.
B. McLeod, ex-sheriff, to the vari-
ous funds of the county of Robe-
son for said period, &c."

Attached to said subpoena is a
preamble adopted by your board,
which recites that "the time lim-
ited by law for the settlement of
the State and county taxes for the
years 1906 and 1907, has long
since expired," that ex-Sheriff
McLeod has appeared before your
board and requested a settle-
ment of his tax accounts for
said years; that you are unable
to determine from the reports of
the board of audit and finance,
what sums are now due by him
to the various funds; that it is
impossible for your board to ef-
fect an intelligent settlement of
the tax accounts of ex-Sheriff
McLeod for said years without
further information from the
board of audit and finance, and
without further figures as to
the amounts due the various
funds of the county, &c."

"I respectfully submit:
1st. That such information as
I may have concerning the
amounts due by ex-Sheriff Geo.
B. McLeod to the county was de-
rived almost entirely from the
official records in his possession,
in the possession of the register
of deeds of the county, and your
own minutes. This information
you can very easily obtain from
the same sources, which are open
to you as they were to me, and
indeed, are under your control.
This information was derived by
me in my official capacity as a
member of the board of audit and
finance of Robeson county, which
said board has been recently
decided by the Supreme Court
in the case of the Southern Au-
dit Company against McKenzie,
is independent of your body and
having the power under the law
to investigate the actions of your
body. I deny, therefore, the va-
lidity of your subpoena, and as
the Supreme Court has decided
that the board of audit and
finance is charged with the duty
of investigating your official ac-
tions, together with the official ac-
tions of the other public officers of
the county, and as such information
as I have come from this investi-
gation made by me as a member
of the board of audit and finance,
I deny your right or authority to
examine me as to how I investi-
gated your body and the other
officers of the county. If, how-
ever, you really desire to ascer-
tain what amount is due by ex-
Sheriff McLeod to the county, I
am willing to assist you to that
end so far as may be in my pow-
er, not because I recognize the
validity of your subpoena, but
because as an individual and an
official of the county I am anx-
ious that all public monies paid
by the people shall go where the
law directs them to go.

2nd. By examination of Chap-
ter 255, Section 98, of the Public
Laws of 1907, you will find that
it is your duty and not ours to
make the settlement between the
sheriff and the treasurer. This
section provides: "The board of
county commissioners at their
last regular or other subsequent
meeting in each year, shall ap-
point one or more of their num-
ber, not to exceed three, to be
present at the accounting and
settlement between the sheriff
and county treasurer, and also to
audit and settle accounts of the
county-treasurer and all other
county officers authorized to re-
ceive or disburse county funds.
The accounts so audited shall be
reported to the board of county
commissioners, and when ap-
proved by them, shall be filed
with the clerk and recorded on his
book, and shall be prima facie evi-
dence of their correctness and im-
peachable only for fraud or special
error." This has been the law for
many years, and applied to the
settlement of the taxes of 1906,

before the board of audit and
finance came into existence.
By reference to Chapter 488,
of the Public Acts of 1907, you
will find that the board of audit
and finance for Robeson county
was not created until March 1,
1907, and they did not qualify
until April, 1907; whereas, it was
your duty to have appointed not
less than one, or more than three,
of your body to make the settle-
ment between the sheriff and
treasurer and all other county
officers at your regular meeting
in December, 1906, or a subse-
quent meeting thereafter. I am
informed that you have never
done this.

3rd. You state in your pre-
amble that "the time limited by
law for the settlement of State and
county taxes for the years 1906
and 1907 has long since expired."
This is true. By reference to
section 91, Chapter 255, of the
Public Acts of 1907, you will find:
"The sheriff or other accounting
officer, shall, on or before the
second Monday in January of
each year, settle his State tax ac-
count with the commissioners of
the county, and pay the
amounts for which said sheriff or
collector is liable to the treasurer
of the State in such manner, or
at such a place, as he shall di-
rect." It was, therefore, your
duty to have settled those taxes
with ex-Sheriff McLeod on or be-
fore the second Monday in Janu-
ary, 1907, which was long before
the board of audit and finance
ever came into existence; for, as
before stated, there was no law
for the existence of a board of
audit and finance for Robeson
county until March, 1907.

It is not the duty under the law
of the board of audit and finance
to make a settlement between the
sheriff, treasurer and other coun-
ty officials, for, as its very name
implies, it is only to audit these
settlements after they shall have
been made by you, determining
if you have made any errors in
the settlements made by you
with the other officials. This has
been admitted to be the law by
your attorney, and while the
board of audit and finance tabu-
lated a statement of the amounts
due by ex-Sheriff McLeod to the
various funds, they did this be-
cause of the fact that you had
made no settlement with him, as
the law now and for many years
directed that you should, in the
full knowledge that it was not the
duty of the board of audit and
finance primarily to pass upon
these questions and determine
what was due, but that it was
your duty.

As bearing upon the taxes due
to the county for the year 1906,
under Schedules B. and C; that
is, taxes due by livery stable-
men, dealers in pistols, lightning
rods, sewing machines, &c. &c.,
we would call your attention to
Section 99, Chapter 256, of the
Public Laws of 1907, the same
provision being found in Section
93, Chapter 588 of the Public
Laws of 1905, to-wit: that it shall
be and is hereby made the duty
of the Sheriff of each county in
the State to make inquiry as to
whether or not all license taxes
provided for under Schedules
B and C of this Act shall have
been paid, and any person, firm
or corporation liable for such li-
cense tax, who fails or refuses to
pay such tax when demanded by
the sheriff, shall be guilty of a
misdemeanor and punished by
fine or imprisonment at the dis-
cretion of the court; and it shall
be the duty of the sheriff, upon
the failure of such person, &c.,
to pay such license tax on de-
mand, or swear out a warrant,
&c." Same section: "It shall be
the duty of the sheriff to furnish
to the judge of the Superior
Court, at each term of the court,
the names of all persons in his
county doing business enumera-
ted in these schedules, specifying
those who have failed to pay, and
the judge shall charge the grand
jury &c." As showing how this
law has been enforced, we re-
port to you that for the present
year, as appears to us from an
examination of the books of
Sheriff E. C. McNeill that he has
already collected and turned over
to the State and county of these
schedules B and C taxes, the sum
of \$2,544.50, and from an in-
vestigation of his books, we find
that he has charged against other
parties, and which he reports
that he will collect, the sum of
about \$900 additional, making the
total of these B and C taxes for
this year, collected and to be col-
lected by Sheriff McNeill, and
less than one third of the amount
already collected and paid over
by Sheriff E. C. McNeill under
schedules B and C, and the addi-
tional sum of \$900 which he re-
ports as being good, making a
total of \$3,444 already collected
and to be collected of these taxes
for the year 1907, we find ex-
Sheriff McLeod collected a total
of only \$764.00, or about one-fifth
of the amount collected and to
be collected by Sheriff McNeill,
and less than one third of the amount
already collected and paid over
by Sheriff McNeill. We call
these discrepancies to your at-
tention, for we know of no rea-
son why dealers in pistols, sew-
ing machines, &c. (Continued on 4th page.)

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tention, for we know of no rea-
son why dealers in pistols, sew-
ing machines, &c. (Continued on 4th page.)

As bearing upon the taxes due
to the county for the year 1906,
under Schedules B. and C; that
is, taxes due by livery stable-
men, dealers in pistols, lightning
rods, sewing machines, &c. &c.,
we would call your attention to
Section 99, Chapter 256, of the
Public Laws of 1907, the same
provision being found in Section
93, Chapter 588 of the Public
Laws of 1905, to-wit: that it shall
be and is hereby made the duty
of the Sheriff of each county in
the State to make inquiry as to
whether or not all license taxes
provided for under Schedules
B and C of this Act shall have
been paid, and any person, firm
or corporation liable for such li-
cense tax, who fails or refuses to
pay such tax when demanded by
the sheriff, shall be guilty of a
misdemeanor and punished by
fine or imprisonment at the dis-
cretion of the court; and it shall
be the duty of the sheriff, upon
the failure of such person, &c.,
to pay such license tax on de-
mand, or swear out a warrant,
&c." Same section: "It shall be
the duty of the sheriff to furnish
to the judge of the Superior
Court, at each term of the court,
the names of all persons in his
county doing business enumera-
ted in these schedules, specifying
those who have failed to pay, and
the judge shall charge the grand
jury &c." As showing how this
law has been enforced, we re-
port to you that for the present
year, as appears to us from an
examination of the books of
Sheriff E. C. McNeill that he has
already collected and turned over
to the State and county of these
schedules B and C taxes, the sum
of \$2,544.50, and from an in-
vestigation of his books, we find
that he has charged against other
parties, and which he reports
that he will collect, the sum of
about \$900 additional, making the
total of these B and C taxes for
this year, collected and to be col-
lected by Sheriff McNeill, and
less than one third of the amount
already collected and paid over
by Sheriff E. C. McNeill under
schedules B and C, and the addi-
tional sum of \$900 which he re-
ports as being good, making a
total of \$3,444 already collected
and to be collected of these taxes
for the year 1907, we find ex-
Sheriff McLeod collected a total
of only \$764.00, or about one-fifth
of the amount collected and to
be collected by Sheriff McNeill,
and less than one third of the amount
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by Sheriff E. C. McNeill under
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