

THE TRANSYLVANIA TIMES

FASTEST GROWING WEEKLY NEWSPAPER IN NORTH CAROLINA

BREVARD, NORTH CAROLINA, THURSDAY, MARCH 10, 1932

SUBSCRIPTION PRICE: \$1.00 PER YEAR

SYLVANIA TAX PENALTY RETAINED

THE LOST EAGLET

Five Character Portraits of the World's Most Famous Baby

LINDY JUNIOR COUNTY HAS NO AUTHORITY TO RESCIND IT

G. T. Lyda, New Tax Supervisor, Appoints List Takers

BOARD TRANSFERS ITEM OF SALARY

G. T. Lyday was elected tax supervisor for the county at the March meeting of the county commissioners held Monday, and the several tax list takers for the townships were named by him and approved by the board.

In view of the fact that Dr. G. B. Lynch had withdrawn his resignation as coroner, prior to the last regular meeting of the board of commissioners, the body rescinded its order appointing C. S. Osborne as coroner. The motion to rescind and declaring the former action of the board null and void, was carried unanimously.

The record of the commission Monday meeting also shows that the item of salary was rescinded and carried that the following transfer be made: Transfer \$204.16 from 1930 budget code 1-20-120 to budget code 1-34-115 of 1930-31 budget. This transfer is made to take care of an overpayment of one month's salary which was paid to the former clerk of the board by the former county commissioners. The action, it was explained afterward, is taken in order to balance the budget.

The following is the personnel listed for the purpose of rescinding the tax supervisor and approved by the county commissioners: J. E. Clayton, Brevard; A. E. England, Boyd township; R. W. Crock, G. W. Maxwell, Dunn's Rock; W. Ellis Galloway, East-toe township; A. C. Price, Gloucesterville township; B. O. McMillan, Hancock township; C. Shepherd, residing at Penrose for Little River township.

A motion was offered by W. H. Henderson, and seconded by A. G. Lyday, for the purpose of rescinding the penalty for nonpayment of taxes, but was voted against by Chairman O. L. Erwin, breaking the vote on the item. Mr. Erwin explained that they were heartily in favor of the action, but that they had been advised by the attorney general and the local government commission's secretary that the county commissioners had no authority to release tax payers from penalty of non-payment, as provided in the constitution.

On motion of Mr. Plummer, seconded by Mr. Sigmon, it was voted to name Mr. Erwin as a committee of one to confer with the attorney general and to determine certain notes held by the county and for which the record states, "it appears that the commissioners should have exercised their authority to release tax payers from penalty of non-payment, as provided in the constitution."

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Bills ordered paid included that for fire protection in January in cooperation with the department of conservation and development, supplies for the county home and insurance of property owned or held by the county. Also \$66.34 was appropriated for a poor aid, to be used for food.

The board ordered the road petition brought in by Luther Wood to be filed, this petition being for the adoption of the road leading from Dr. Kilpatrick's to Pisgah Mills.

Zacharys Leaving Today for Seattle

Wide-spread regret is expressed throughout the town and county over the loss of Dr. J. E. Zachary, and family from the community, where they have resided for so many years.

The Zachary family is leaving Brevard today, and after a four-day journey across the country will arrive at their future home in Seattle, Washington. Dr. Zachary will at once assume management of the recently acquired dental offices in the heart of the city, where he will do a general dental practice.

Many expressions of regret have been heard over the departure of Dr. and Mrs. Zachary from the community, and of the general feeling of loss in business, church and social circles due to their removal to the far distant western city.

KIMZEY GIVES STATE POLICY AS TO BANKS

Suits Not Pressed Against Note-Givers Who Are Making Payments

Declaring that it is not the policy of the state banking department to bring legal action against those who are paying or making an effort to meet their obligations to the closed Brevard Banking company, Pat Kimzey, attorney for the liquidating agent here made public the attitude of the state banking department with reference to its liquidation of the bank's affairs, when asked yesterday concerning a number of suits which have recently been started against parties owing notes to the closed Brevard bank.

"It is not the policy of the banking department to bring legal action against any parties who are regularly curtailing their notes, nor seemingly make an effort to do so, but in view of the fact that many parties who owe the bank at least make a beginning on the time it closed have not paid anything on their notes, nor seemingly made any effort to do so, the banking department has requested that legal action be taken against those who are not making any effort to pay their notes," Mr. Kimzey said.

"The depositors of the Brevard Banking company are very anxious to receive a dividend, but it is impossible to pay this dividend unless the parties who owe the bank at least make a beginning on the payment of these obligations," Mr. Kimzey added.

Woodley Is Given Added Duties in Bank Liquidation

Kimzey Employed to Aid in Hendersonville and Brevard Work

W. W. Woodley, Jr., who has been in charge of the liquidation of the Brevard Banking Co., of Hendersonville, and First Bank & Trust Co., and American Bank, at Hendersonville, the Saluda branch of the First Bank & Trust Co., of Hendersonville, and the closed bank at Bryson, has recently also been placed in charge of the liquidation of the closed banks of Rutherford county and the Bank of Mooreboro in Cleveland county, by Gurney P. Hood, state commissioner of banks.

Pat Kimzey, Brevard attorney, has been employed by the commissioner of banks to assist Mr. Woodley in the liquidation of the closed banks. Mr. Kimzey has formerly been the attorney for the commissioner of banks.

Japs Ask Envoys At Shanghai To Negotiate Peace

Tokio Would Have Neutral Powers Arrange an Armistice

TOKIO, Japan, March 9.—The Japanese government today instructed its Shanghai representatives to attempt to negotiate a permanent armistice with the Chinese through neutral powers.

ON LEAGUE TERMS SHANGHAI, China, March 9.—Japanese civil and military authorities are prepared to negotiate for peace on terms of the league assembly's resolution of March 4, Nanuro Shigemasa, Japanese minister, notified the Chinese today.

Meanwhile, the Chinese government and military leaders united in a policy of continued resistance to the Japanese military forces moving northwestward from Shanghai. Japanese army headquarters said they merely were consolidating their lines in the Quinsan area, some 23 miles west of Shanghai and that "occasional skirmishes" were to be expected, but the Chinese charged that the Japanese were pushing on in the direction of Nanking.

Rev. Burke Coming Sunday To Preach

Rev. James P. Burke, rector of St. James Episcopal church, Hendersonville, and secretary of the diocese of Western North Carolina, will preach at St. Philip's Episcopal church in Brevard next Sunday evening at 7:30 o'clock, according to an announcement of Rev. Harry Perry, rector of St. Philip's.

HIGHWAY MAN DEFENDANT HIGH POINT, March 9.—Chairman E. B. Jeffress, of the State Highway commission, has named as defendant in a suit for \$5,400 damages in the High Point municipal court by A. J. Joyner.

The suit grew out of an automobile accident on the Raleigh-Durham highway in last October. The plaintiff asks \$5,000 for personal damages and \$400 for damages to his car.

In the complaint the plaintiff alleges that Chairman Jeffress was driving his car in a reckless manner and that he drove across the highway to strike the Joyner car, which was on the extreme right side of the highway.

WATER RATES ACTION ENDED

Digest of Supreme Court Ruling in Brooks Case Received Here

Otto Alexander, clerk of superior court, is in receipt of the digest of the supreme court ruling which was recently made concluding an action on the part of Len Brooks et al vs. the Town of Brevard involving the enforcement of the water rates ordinance. It was a test case and involved the original scheme of water rates for the city, when the water and sewer systems here were privately owned and operated.

These two systems were set up as private enterprise for public service many years ago. The story goes that when they were established the contract with the patrons was that water should be charged at the rate of so much per spigot in each room. Later the town took over the water system and the sewer system, issuing bonds for the funding of these purchases.

At chambers in Asheville in August of last year, a suit was brought before Judge Stark to restrain the defendant from enforcing the present water ordinance. It is understood that the contention was that should there be a change in the water rates, it should be a blanket change, affecting all, instead of individuals.

The appeal to the supreme court was argued from the judgment which dissolved the temporary restraining order. The plaintiffs had appealed, assigning errors in the action of the trial court.

Several Warrants Served at Rosman

Sheriff T. E. Patton has served a number of warrants this week in connection with alleged drinking and boisterous conduct on highway 28, through Rosman, Hebert Gravelly and Cecil Hensley were arrested and are under bond on charge of being drunk on highway 28 at Rosman.

Hayden Greene and Roy Owens are charged with reckless driving and boisterous conduct on the same highway and with breaking the peace.

Two or three other such warrants have been served and returned to Mayor White of Rosman, before whom the hearings will be held.

FRITZ IS DEAD A beloved creature was taken by death Monday night. Fritz, the famous Nobby Shoppie cat, passed away after an illness of a few days. Fritz was well known among the business houses of Brevard, and was petted by everyone. He was the object of much admiration on account of his enormous size and his beauty. He was friendly toward everyone and "even paid frequent visits to some of the lawyers of the town," a friend pointed out yesterday.

FOREIGN WARS POST FORMED

Frank Woodfin Heads Organization of 25 Charter Members

With a potential membership of around 75 men in this county, Pisgah Post No. 2428, Veterans of Foreign Wars, was organized at a meeting here Monday night. Frank Woodfin, commander, and Dr. B. P. Hall, of Asheville, district commander, were installing officers for the new unit.

In addition to Mr. Woodfin, Penrose man, who was instrumental in the formation of the post, here, the officers are: Senior vice-commander, B. F. Cox; Junior vice-commander, E. C. Sims; Adjutant, Noah C. Miller; Quartermaster, John E. Ruffy; Advocate, Ralph Duckworth; Officer of the Day, Howard Wyatt.

Guard, Wilson McCall; Sentinel, Coy Surrett. Trustees—J. M. Gaines, Erwin Galloway, and Glover Jackson. The meeting was held in the courthouse and it was decided to hold further meetings there for the present on the first and third Monday night in each month.

Already around 25 members have been obtained for the post and there were 20 interested veterans at the meeting Monday night.

Future Farmers Give Greenhand Degree in Chapel

The Brevard chapter of Future Farmers of America occupied the Friday afternoon chapel period at the high school with a business meeting of the club. Members of the organization were seated on the stage during these exercises.

At this time 13 boys were voted into the club and given the Greenhand, or first degree initiation and presented with the bronze emblem of the F. F. A. All these boys are regularly enrolled vocational agriculture students and have farming projects which are being supervised by the vocational agriculture instructor. John Collins presided as president of the chapter and all other officers were at their stations, as follows: Max Wilson, vice-president; Merrimon Shuford, secretary; L. E. Powell, treasurer; Eugene Dixon, reporter; J. A. Glazner, adviser; Ott Shippam, which does; Bruce Watson and Glenn Shipman, Greenhand conductors.

LINDBERGH'S MORE HOPEFUL TODAY, REPORT

Definite Progress Reported Officially as Investigation Continues

BOSTON, Mass., March 9.—A published report quoting Mayor James M. Curley of Boston as saying he had learned authoritatively that the Lindbergh baby was restored to its parents Sunday night was denied at the mayor's office today.

HOPEWELL, N. J., March 9.—Official reports of "progress" identification of the lumber used in the kidnapers' ladder, and a mysterious motor trip by a personal representative of Colonel Lindbergh, revived hope today that his stolen baby, Fred, and would be returned.

Col. Henry C. Breckenridge, Lindbergh's attorney, left yesterday afternoon after requesting that his trip not be mentioned in newspapers until 10 o'clock last night, when he returned and reported. He left again shortly thereafter, headed for Princeton.

It was reported that Colonel and Mrs. Lindbergh were much more cheerful than usual today.

The lumber in the ladder was identified as the same kind used in the construction of a state F. F. A. institution a few miles distant.

A rumor, unconfirmed but not denied, had it that the baby would be taken to the Englewood, N. J., estate of his grandmother, Mrs. Dwight Morrow, when and if he is returned.

Colonel Lindbergh spent much time on his private phone today, giving rise to speculation that he was engaged in an important phase of the effort at restoration of 20-month-old Charles Augustus Jr.

Further optimism was seen in an official statement on the case, issued late last night at Trenton in response to newspaper men's questions.

In reply to a question as to "what are the latest developments in the case," the police shot back the terse response:

Colonel Lindbergh's telephone, the private line over which he maintains a rigorous guard, and over which he is said to have guarded vigorously yesterday with Captain John J. Lamb, was busy throughout the afternoon and evening.

The cutting down of the police guard at the Lindbergh farm by 25 troopers to 10 was regarded as another move toward opening the way for the return of 20-month-old Charles Augustus Jr.

Woodfin Finds 4 Eggs in 2

It happened twice in a hundred years.

About two weeks ago, Ralph Woodfin, who lives east of Brevard on a thirty farm he operates and who has a flock of Rhode Island Reds, which he describes as being a "picture to look at," picked up an egg and said to himself, that it was an unusual egg. When Mrs. Woodfin broke it for cooking purposes, she found that inside the white of the large outside egg was a second egg, as perfect as could be asked of any egg.

A few days later, Mrs. Woodfin picked up an egg. She said to her husband that she believed this egg, too, had another inside of it. Mr. Woodfin replied: "No, that couldn't happen again in a hundred years."

Mrs. Woodfin broke the egg, and it was a duplicate of the first double egg. Mr. Woodfin hasn't seen any more such eggs, and since he had two of them, and then has seen no more, he is inclined to think that he may have killed the hen that laid the two freak eggs.

REAL WINTER HITS BREVARD

Temperature of 10 Degrees Above Zero Recorded Wednesday

This community experienced its first real winter weather this week, when unofficial reports showed the thermometer registered 10 degrees above zero Wednesday morning, the lowest record for the winter, it is said. According to official reports from the Institute weather station, the mercury registered 17 above on Tuesday morning, which was said to have been the lowest record for the winter so far this year.

Light hurries of snow were feared 10 degrees above zero Wednesday morning, though not sufficient to be seen on the ground at any time. Some of the high mountain peaks surrounding Brevard have been covered with a white mantle of snow for the past several days, though no snow has made its appearance on the ground in the town community here for this winter, insofar as is known.

The present cold snap prevailing in this section is somewhat different from the one which prevailed last winter, in that the shrubbery, flowers, fruit trees, rose bushes and other plants putting out new green leaves, and a few early vegetables up in some of the gardens.

Mrs. Garren, 39, Buried Tuesday

Funeral services for Mrs. James Garren, 39, who died at her home in Brevard early Monday morning, were held Tuesday morning at the Brevard Baptist church, conducted by the service, burial was in Catheys Creek cemetery.

Mrs. Garren had been ill for some time. She was a native of Sylva but had made Brevard her home for a number of years. She is survived by her husband, two children, Lucile and Frank; three sisters, Mrs. Carrie Wilson of Detroit, Mich., Miss Rhoda Cope of Sylva, and four half brothers, Vernon, Vero Lee, Homer and Grayson, all of Sylva.