

### Not Much Need of Prison in Those Days

(Continued from first page, second section)

county seat here, was as follows:

"The prisoner, William Singleton, who was indicted at this term, and found guilty of manslaughter is brought to the bar of the court and the Solicitor General moved that sentence of death be passed upon him and he being asked if he hath anything to say why the sentence of law shall not be pronounced against him, prays that benefit of clergy be extended to him, and that the said William Singleton be burnt in the brawn of the left hand with a hot iron, and that he be imprisoned 11 months and 29 days from the time of his commitment (say until the 13th day of November next) and that he remain imprisoned thereafter until the costs of this prosecution be paid. Ordered that the sheriff carry out the part of the sentence which relates to the burning into immediate execution, which was accordingly done in the presence of the court, and the prisoner remanded to the jail."

Thus ended a trial wherein a prisoner was branded. After this inhuman court ceremony, the town and country folks who had gathered for the trial went back home. The same iron used on that day is the one so recently discovered in Hillsboro. It was probably used again, but this method of punishment was abolished in about the year 1831, it is learned from good authority.

**Writer Learned Facts**

It's hard to gather data on the forms of punishment used in the courts of North Carolina in the early days. Probably this is because of

the inhuman methods used, and our forefathers were ashamed to write history about such methods. To learn more about the laws of those days and punishment imposed, the writer dispatched a letter to Frank Nash, Assistant Attorney General of North Carolina.

Mr. Nash is a former Hillsborian and knows more history than any one to ever live here. It is declared by all that know him. He is one of the best informed historians of law in the State of North Carolina, and the only person this writer has ever asked a question pertaining to history, who did not refer to some book. This writer has asked many persons many questions about historical points during the past few years.

Mr. Nash furnished the following information:

"In those early days at common law the punishment for one convicted of a felony was death. The Roman Catholic church was so powerful in those early days that the civil courts could not administer punishment to a clerk in orders. When therefore one was arraigned in such court charged with felony, he would plead the benefit of clergy, and if established his condition, he was turned over to the ecclesiastical for punishment and that generally resulted in none.

"This being a convenient method for avoiding the harshness of common law, the courts through fiction extended it to those convicted of a lesser felony, though they may not have been a clerk. This was pleading the benefit of clergy."

"When this was pleaded instead of hanging the convict, they branded him, put him in the pillory, or administered to him 39 lashes on his bare back.

"For perjury in this State they put the convict in the pillory, cut off both his ears, nailed them to the pillory

for one day, and then in the midst of all gave him 39 lashes on his bare back. This method of punishment of those convicted of telling a lie on an oath was changed in 1831.

"If a person was indicted for homicide and was convicted of manslaughter, he claimed benefit of clergy, had it allowed, and was branded 'M' on the brawn of the left thumb. This was usually in addition to a term in the county prison.

"When convicted of larceny, another chargeable felony, the prisoner would be branded a 'T' in the same place."

A slave or horse thief was branded with the letter 'T' in the center of their forehead, which advertised their character to the world.

To have more than one wife, unless you were a member of some faith wherein this custom was allowed, and this happened seldomly in North Carolina, person was arrested for bigamy. The punishment for this crime was indeed embarrassing to the violator as long as he lived. If convicted of bigamy, the prisoner was branded on the left cheek with the letter 'B.'

Those criminals who had been convicted of counterfeiting were dealt with in a similar manner. On their right cheek was branded the letter 'C.'

When a person was ordered by the court to be branded it was the high sheriff of the county who performed the job.

The iron would be heated in the fireplace of the court room. With the prisoner held securely, the hot iron would be administered to the part of the prisoner's body as specified by the judge.

With the hot iron, sizzling against the flesh of the prisoner, he was ordered to repeat, "God save the State", three times before it was removed. In colonial days it was, "God save the king."

And there was not much need for penitentiaries.

Mr. and Mrs. J. L. Cook and other relatives.

Mrs. Susan Welch, widow of the late W. F. Welch, died at the home of her daughter Mrs. Emmett Dugg, Bannerstown, last Tuesday following a lingering illness of several months, interment taking place Wednesday at 2 o'clock at Hollow Springs of which church she had been a consistent member for a number of years. Services were conducted by Rev. G. C. Haymore and Willie Chilton. She was 82 years of age, and leaves 7 living children and a number of grand children. She was a kind hearted Christian woman and will be sadly missed.

Mr. and Mrs. Will Wagner and baby and Mr. and Mrs. Gene Cook of Mount Airy spent Sunday at the home of Mrs. Sons L. Cook.

A large crowd attended the communion services at Hollow Springs Sunday.

School opened at Hollow Springs Monday with a good attendance, with J. M. Hiatt as principal and Misses Vilena McGee and Halle Simmons, assistants.

**Mount Airy Route 4 Items**

Mount Airy, Route 4, Oct. 3.—A son was born to Mr. and Mrs. I. V. Hutchens last Sunday morning.

Mrs. W. B. Haynes and two children will spend this week in Greensboro with her brother Maurics Patterson and family. Mrs. Haynes has been spending the summer here with her parents Mr. and Mrs. Ed Patterson.

The pupils of Franklin school are well pleased with their teachers this term there are four hundred and fifty on roll now and we hope for a good year.

Capt. and Mrs. W. G. Shelton, Mr. and Mrs. C. R. Boyles and children, Mr. and Mrs. W. F. Shelton and Opie, Mrs. Maggie Jones and Miss Florence Eldridge spent Sunday on the mountains and at Wytheville, they all reported a nice trip the day was fine for sight seeing as it was clear all day.

Mrs. Query Welch, of Charlotte,

spent the week end with Mr. and Mrs. Ed Patterson.

The farmers are about done taking care of their tobacco on this route.

Mr. Frank Pool died Sunday evening at 7 o'clock after about a year of ill health. The funeral was held

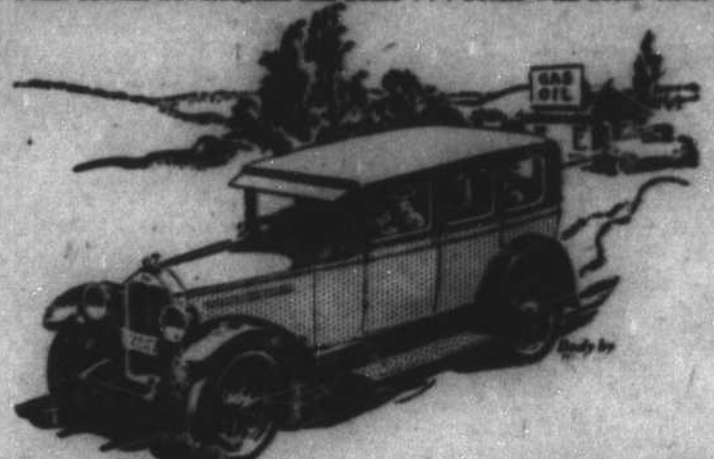
at the home Tuesday at one o'clock. He was 78 years old and leaves a wife and two daughters, Mrs. Susan Shaddock and Mrs. Martha Wiley and one son, Ben Pool of High Point. Mrs. James Crowl and Jennie Dugbar preached the funeral.

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MOUNT AIRY, N. C.

### DR. HANES TO SPEAK ON UNIVERSITY DAY

Exercises on October 12 Will Mark 134th Anniversary of the Institution.

Chapel Hill, Oct. 3.—Dr. Frederick M. Hanes, of Winston-Salem, will be the chief speaker at the annual university day celebration here October 12. The exercises will mark the 134th birthday of the institution.

It is the custom of the university on this occasion to call back as a speaker one of its own sons, and to make of the occasion a celebration of the fellowship and history of the institution. Dr. Hanes has been selected as an alumnus "fitted by his life and service to voice the feelings and opinions of all alumni on this day.

Dr. Hanes was graduated from the university with the class of 1903. He later attended Harvard university where he obtained the degree of A. M., and continued his studies at Johns Hopkins university for an M. D. After his graduation there he served as assistant resident physician in the Johns Hopkins hospital, as instructor and assistant professor of pathology at Columbia university, on the staff of the Rockefeller hospital, and since 1912 has been engaged in the practice of internal medicine at Winston-Salem.

During the world war Dr. Hanes served in the A. E. F. as commanding officer of base hospital 65, which was a North Carolina unit. His rank was lieutenant colonel.

### Mrs. Welch Dies at Banner-town

Mount Airy, R. F. D. 1, Oct. 4.—S. G. Joyce and family and Floyd Cook and wife left Saturday for Goldston to spend a few days with

### Notice Trustee's Sale of Land.

By virtue of authority vested in the undersigned trustee in a certain deed of trust executed 7th day of June, 1924, by R. C. Worth and wife, Alma Worth, for the Workman's Building & Loan Association and recorded in the Register of Deeds office of Surry County, N. C., to secure an indebtedness of \$1,500.00, default having been made in the payment of the indebtedness therein secured and at the request of the holder I will sell for cash to the highest bidder at public auction, in front of the Bank of Mount Airy, Mount Airy, N. C., on

Saturday, October 15, 1927, at 1 o'clock P. M.

the following described real estate:

A lot in the town of Mount Airy, being lot No. 1 represented by the plat of the lands of Jno. L. Worth, deceased, on record and bounded as follows: Beginning at the east side of a new 30 foot street and running along the edge of a ten foot alley N. 47 deg. E. 290 feet to the edge of a 20 foot street; thence with said street S. 48 1/2 deg. E. 100 feet to the corner of lot No. 2; thence S. 57 deg. W. 298 feet to the east side of the said street; thence with the said street N. 45 deg. W. 100 feet to the beginning. Also fifteen shares of stock of the Workman's Building & Loan Association in the 27th series.

Sale made to satisfy a balance of about \$1,450 principal, interest, taxes and cost of sale to add.

This September 13, 1927.  
M. H. SPARGER, Trustee.

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