

THE BREVARD NEWS

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ENGLISH RENDERS DECISION IN MANDAMUS PROCEEDINGS

Emergency Order Made Takes Care of Present Fuel Shortage Situation

QUESTION INVOLVES POWERS OF BOARDS

Appeal Taken by Board of Education From Ruling of the Court

To take care of the emergency of providing fuel for schools of the county, Judge D. L. English presiding in the General Court at which the school controversy was being aired, ordered the county board of education to contract for not more than three carloads of coal at a stipulated price, and that C. R. McNeely ratify said order. While the coal is in transit the judge ordered that bids be asked for by the board of education and C. R. McNeely for the drayage or delivery of the coal and that the lowest responsible bid be accepted by the two parties, and approved by the court.

In the matter of making purchases for fuel, excepting the special emergency order mentioned above, Judge English held in his ruling, that "the plaintiff (board of education) has the right to make such purchase, but before the contract for such purchases are valid and binding obligations of Transylvania county, they must be submitted to and approved by the county accountant who is required under the law to approve the same, unless he the county accountant and county purchasing agent knows where he can duplicate said purchases at less cost."

An appeal has been taken by the board of education. W. E. Breese represents the school board, and Ralph R. Fisher the commissioners and McNeely.

The opinion and ruling of the court in the matter is given below in part:

"To meet the present emergency it is ordered by the Court that the plaintiff, the County Board of Education contract for and that the defendant C. R. McNeely, ratify said contract for not more than three cars of coal at the above price, and that while said coal is in transit that the said Board and McNeely call for bids for the drayage of said coal from freight station in Brevard to said schools, the lowest responsible bid to be accepted by the Board of Education and said C. R. McNeely, and approved by the Court, the said Board to issue proper vouchers for said coal and drayage, and the said vouchers to be countersigned by the said C. R. McNeely.

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Y. M. C. A. PLANS TO BE ANNOUNCED

Kiwanis Club Sponsors Movement—Meeting Called for Thursday

Tentative plans adopted at the meeting of the Brevard Kiwanis club last Thursday are being carried out by the cooperation of the county board of education for the nucleus of a Y. M. C. A. organization in Brevard.

Necessarily beginning on a small scale, it is planned to conduct basket ball practice games three nights a week on the High School court under the supervision of members of the Kiwanis club and other men of the town who have had active experience in this kind of work. Boys ten years of age and up will make up the membership.

Meeting of all boys interested in becoming members of this organization, will be held at the High School auditorium Thursday night, February 6, at 7:30 o'clock. This meeting will be presided over by officials of the club, and eligibility will be explained to the boys.

E. CARL ALLISON FOR CO. TREASURER

E. Carl Allison, prominent farmer of the Cherryfield section, announces his candidacy in today's News for Democratic nomination for the office of County Treasurer.

Mr. Allison, who has not heretofore held any public office in the county, sought the nomination for County Treasurer four years ago. He was defeated in the primary by T. E. Patton, Jr., Mr. Allison has numerous friends throughout the county, he having spent his life here and comes from a very prominent family. He is a member of the Baptist church at Cherryfield and a Junior.

COUNTY COMMISSIONERS IN REGULAR MONTHLY SESSION County commissioners met in regular monthly session last Monday. Work of a routine nature was transacted.

VARIED CLAIMS MADE BY THE TWO BOARDS

A multitude of allegations were put into the claims of the board of education and the board of commissioners in the papers filed in the mandamus proceedings which case was heard before Judge English, in the County Court, beginning last Friday:

In the "Amended Complaint," the "Answer to Amended Complaint," and "Reply to the Defendant," charges and counter charges were set out about many things, articles, people, conduct of officers—both plausible and derogatory—irregularity, loss and gain, taxes cut and taxes "un-cut," money saved and money wasted, cheap coal and high priced coal, demand and refusal, etc. in the numerous pages of the papers filed.

To carry the full accounts as set forth by both boards would be near to impossible for any weekly newspaper, hence as near digest of same as could be arrived at by The News reporter "covering" the case, is given below:

Amended Complaint

The plaintiff board in their amended complaint alleged that they were a body politic created, organized and existing under the Public Laws of 1923 and supplementary acts, and that it is authorized and required by law to have supervision and control over any and all matters pertaining to the public school system of Transylvania County, and that they are particularly directed, authorized and empowered to maintain all the public school buildings in the county; to select and purchase all supplies and equipment for the schools; to furnish and provide transportation, etc., and in general to have supervision and control over any and all affairs and matters pertaining or relating to the maintenance or operation and control of the public school system of the county, and to employ such clerical and legal assistance as may be necessary for the best conduct of the schools.

That, they, the Board of Education, prepared and submitted to the Board of Commissioners in May of 1929, their school budget as required by law, and that same was approved by the Commissioners, and was approved by the state board of education; that said board of education made a thorough investigation of the records for several school years prior hereto before the making of said budget and ascertained the approximate amount of money needful and necessary . . . and among which items was the sum of \$2,068.00 for fuel to be used in the several schools; also the sum of \$500.00 for attorneys fees, also the sum of . . . dollars for the purchase of stoves and parts thereof for the heating of certain school houses in the county and other articles set out as needful and necessary.

That the Board of Commissioners of said County levied a tax sufficient to pay the amount set forth in said plaintiff's budget, for fuel, and also enough for a part of the item for maintenance and repair as set forth in said budget, but said Board

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PATTON ANNOUNCES FOR RE-ELECTION

Sheriff T. E. Patton Jr. makes his public announcement through The Brevard News today for his nomination in the Democratic primary for re-election as sheriff and tax collector.

Sheriff Patton is completing his two-year term in the office. Previous to being elected sheriff, he served two consecutive terms as county treasurer.

Mr. Patton is widely and favorably known throughout the county and other sections of Western North Carolina, where he has been actively engaged in business and holding public offices for a number of years. Originally from Buncombe county, Mr. Patton has made this his home since boyhood.

COUNTY COURT IN THREE-DAY SESSION

About thirty cases were disposed of in General County Court here the first three-days of the week. A few of these cases were not prosed, some paid fines of \$25 and up; others were given terms of varied length. Appeals were taken in several of the cases.

Notable in this session of the court was the absence of larceny cases. Only one was up before Judge English, and this was remanded to the juvenile court, the defendant in the case being under 16 years of age.

Drunkenness and violation of the prohibition law were the most prominent in number.

MAD DOG BITES CHILD AND SEVERAL COWS

Authorities Urge That Dogs Be Confined Until Danger Is Passed

Little Billie Siniard, the four-year old child of Mr. and Mrs. Hale S. Siniard, was bitten on the lip Saturday by a mad dog belonging to the Siniard family. The child is now taking the treatment, and it is thought by the attending physician that the little fellow will respond satisfactorily to the treatment and that the case will not prove at all serious.

Dr. Ramer, the veterinarian, was called in and after an examination of the dog it was found that it was afflicted with rabies, the evidence being so strong that it was considered not necessary to send the head to Raleigh for further proof. The animal was known to have bitten a cow, a calf and a dog belonging to James Garren, who lives near the Country Club.

Dr. Ramer, together with Mayor Whitmore, advise that all dogs be kept tied for sometime and that children be instructed to keep away from any stray dog, for it is not known how wide-spread might have been the rabid dog's path. The animal had traversed a large amount of territory before being killed.

UNION SERVICES AT EPISCOPAL CHURCH

Regular union services will be held next Sunday evening at 7:30 o'clock at St. Philips Episcopal church. The sermon will be delivered by Rev. R. L. Alexander, pastor of the Brevard Presbyterian church.

This service will feature the observance of National Boy Scout Anniversary Week, and the sermon will be of such nature to appeal especially to young Scouts. Members of the local Boy Scout organization will be present at this service in a body.

Transylvania County as Pictured in Booklet Issued by State Department



In a booklet recently published by the State conservation and development department, the above and the following article about Transylvania county is published. This booklet is in great demand throughout the county, being especially valuable to those who are seeking locations for agriculture, mining or industry.

The article follows: In South Mountain; population, 12,700; area 242,560 acres; topography, high, fertile, mountainous; water, Davidson, French Broad, Little rivers; lakes, Toxaway; railroads, Southern; business, Brevard, Interstate Seaside Coach Line; highways, Nos. 28, 283, 284; incorporated cities and towns, Brevard, Rosman.

Industrial statistics of the county follows:

Manufacturing Industries 12. Wage Earnings 806. Total Wages \$665,560. Mat'l, fuel and power \$2,283,552. Total value products \$3,552,881. Value added by manuf. \$1,914,320

Forest Products The forest area is approximately 204,328 acres, comprising 84 per cent of the total land area. More than 24 per cent of the total land area, is farm woodlands; which includes some 7,000 acres of woodland pasture. Of the forest land outside of farms some 80 per cent is held in large timber tracts. The principal merchantable species are chestnut 30 per cent, poplar 10 per cent, hemlock 10 per cent, oaks 30 per cent.

It is estimated that there still remains a total stand of 150,000,000 board feet of saw timber which is fairly accessible by road or rail. The Pisgah National Forest includes a large area in the northern portion of the county, practically all of which was more or less cutover

MANY INTERESTED IN TOBACCO GROWING

Several People May Still Obtain Plants Free by Calling at Brevard Bank

A number of people have availed themselves of the offer whereby they may obtain free tobacco plants sufficient for one acre of ground. Of those who have already made application, are farmers with big farms, little farms and middle-sized farms, the idea being to begin the culture in the county with only one acre, later branching out to such acreage that tobacco raising will be an established money crop, as it is in several other counties of this section.

As was stated in The News last week, plants for fifty farmers would be given, and applications have not been made for all of the fifty one-acre allotments.

Application must be made at the Brevard Banking company before Monday noon, February 10th, as it is necessary that the list of applicants be completed at that time, a tobacco expert coming here on next Tuesday to assist Julian Glazener and his class of boys in getting the work started. Mr. Glazener's class in agriculture will do the work in preparing the beds, sowing the seeds and tending the plants until they are ready to set out. The Brevard Banking company will furnish the seed, the canvas cloth for covering the beds, and paying all expenses of the project in growing sufficient plants to set out fifty acres of ground in tobacco.

Soil tests have proven that tobacco can be successfully grown in Transylvania, and with the generous offer of the Brevard Banking company and Mr. Glazener's class of boys, little expense will be entailed by the farmers in starting the crop. It is necessary, however, that those wanting these plants see Mr. Shipman at the bank, at once.

ASSOCIATED CHARITIES DRIVE BEING MADE HERE THIS WEEK

TANNERY EMPLOYEES GIVE \$100 TO FUND

Employees of the Transylvania Tanning company, in response to the call of the Associated Charities, have pledged \$100 as their contribution in the present drive for funds to carry on the work of this organization.

This most generous donation from the Tannery employees was made through their Employees Relief Fund, which has been in operation for some time and is a department carried on by the foremen and a large proportion of the employees, and functions entirely separate and independent of the company. Both white and colored employees are regular contributors to this fund, providing for themselves an available reserve fund in case of sickness or death or for ready response to worthy community calls, such as the present drive of the Associated Charities.

This highly commendable act on the part of employees of the Tannery is the first such to come to the attention of The News office in the drive now being put on. Other acts of commendation will be reported in next week's News.

Appeal Made to Farmers

An appeal is made from the Associated Charities to all people living out in the county, requesting that those desiring to contribute toward this fund give food stuff instead of money where in such instances it would be more convenient to do so. Any products of the farm, such as potatoes, corn, any kind of vegetables or meats, will be gratefully received by this organization for distribution among the needy poor of the community.

These articles of food may be taken to the residence of Rev. R. L. Alexander or left at the office of The Brevard News.

TOBACCO MEETING BE HELD TUESDAY

A tobacco meeting will be held next Tuesday afternoon February 11 at 2:45 in the Agricultural classroom of the Brevard High School. Every farmer who is interested in the least in growing some tobacco in this County this year is urged to attend this meeting. Plans are for a tobacco specialist to talk to the farmers at that time.

Farmers are signing up for tobacco plants in a hurry and in a short time the quota will have been reached. Those interested in securing plants through the Brevard Bank's liberal free offer had better see Mr. Shipman at once.

"In unity there is strength." Come, let us organize ourselves for study and work that we may succeed in the tobacco undertaking this year.

JULIAN A. GLAZENER, Agricultural Instructor.

WELCOME SERVICE FOR NEW MINISTER

All Churches Join in Extending Rev. Paul Hartsell Right Hand of Fellowship

A capacity audience filled the main auditorium and annex of the Brevard Methodist church Sunday night, when occurred the welcome service honoring the Rev. Paul Hartsell, new pastor of the Brevard Baptist church. The gathering was in the nature of a union service, representatives from the four churches of the town being present, and the various pastors participating in the meeting.

The sermon of the occasion was delivered by the Rev. Mr. Hartsell, who gave an inspiring and forceful message, emphasizing the thought that service through the will of God is the highest standard of a Christian life. Previous to the sermon, brief remarks of greeting and welcome to the new pastor were heard from Rev. Harry Perry, rector of the Episcopal church; Rev. R. L. Alexander, pastor of the Presbyterian church; and Rev. J. H. West, pastor of the Methodist church, who also presided over the service. The large choir composed of members of the choirs of the four churches, and their song leading and rendering of special musical selections added much to the service.

Expressions of delight over the fine spirit of Christian fellowship in evidence at the gathering, were heard from many of those in the large audience.

PREACHING SERVICES AT PINEY GROVE CHURCH

J. P. Mason, pastor of Piney Grove Methodist church, near Penrose, announces that services will be held in this church next Sunday afternoon at 3 o'clock. The public is cordially invited to attend.

Drive for Funds Now Being Conducted Throughout the Community

URGENT NEED OF MONEY STRESSED BY THE BODY

Many Destitute Cases Reported—Ministers of Brevard in Charge of Work

Stressing the fact that there is urgent need of funds to carry on the work of the Associated Charities organization of Brevard, a meeting was held at the Methodist church Sunday afternoon at the call of the pastors of the town, who are the directing board, at which meeting plans were made for a furthering of the work. Representatives from each church met Monday morning and formulated final plans for the work.

Committees of the business men of the town, representatives of the churches, the Woman's Bureau and other civic organizations are now making a thorough canvass of the community for funds with which to carry on the greatest of all community work—that of caring for the destitute.

Pressing needs of many unfortunate people, families without means and unable to secure employment were reported at the union service Sunday evening at the Methodist church, and at subsequent meetings Monday. To meet this present need canvassers are asking that at least a part of the pledges made to carry on the work for the year be made in cash now. Balance of the pledges may be paid either in monthly or quarterly installments.

It is pointed out by those who are in charge of the work and who are familiar with the needs of distressing cases, that where it is inconvenient to make a cash donation at the time of making pledge, that staple groceries be substituted where possible. These needed supplies may be taken to the residence of Rev. R. L. Alexander or left at the office of The Brevard News from which central point they will be distributed.

One distressing case reported by Rev. Harry Perry, rector of St. Philips Episcopal church, was that of a family, the father in the home suffering from paralysis, an invalid and mentally deficient daughter, and a deaf and dumb son, all helpless insofar as helping care for each other without means of support, without sufficient clothing for warmth, and no food only as given them. This case was used by the reverend gentleman as an illustration of why the Associated Charities need the assistance of the entire citizenry of the community. Other cases reported at the meetings held Sunday and Monday, though not as appalling are nearly as needful.

Committees composed of men of the town are calling upon the business houses, while members of the Woman's Bureau are making the canvass in the residential sections. Others are making calls in various sections of the county.

Funds collected will be turned over to the treasurer, Rev. R. L. Alexander, and will be distributed by the ministers of the town acting as an investigating committee. J. S.

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MINISTERIAL ASSOCIATION RE-ORGANIZED IN TOWN

Reorganization of the Ministerial association was effected the past week, with Rev. J. H. West, pastor of the Methodist church, elected chairman, and Rev. R. L. Alexander, pastor of the Presbyterian church, secretary-treasurer.

All ministers of the town automatically become members of this association, and in their regular meetings problems relating to the welfare of the various churches and to the community are worked out and later put into practical application.

ECK SIMS OUT FOR SHERIFF OF COUNTY

Eck L. Sims, for a number of years actively engaged in law enforcement offices in the county, and in more recent years rural policeman, announces in today's Brevard News that he is a candidate for democratic nomination for sheriff of Transylvania county.

In making his announcement, Mr. Sims says that he is doing so at the urgent request of many of his friends and that he is going to devote his best efforts to win the nomination and election.

Mr. Sims was democratic nominee four years ago and was only defeated by a very small majority in the general election. He has served as deputy sheriff under Sheriff Paxton, was rural police for several years, and has been on the police force in both Brevard and Rosman. He has many friends throughout the county who respect his ability as an officer and his qualities as a citizen.