

## A New Banking Institution to Be Opened In Brevard Within Next Few Days

### CAPITAL OF \$25,000 AND \$5000 SURPLUS ALREADY ARRANGED

J. H. Pickelsimer, J. S. Silversteen, W. W. Croushorn and Others Interested

### NEED OF BANK HERE FELT IN EVERY WALK OF LIFE

### People Express Gratitude to Leaders for Announcement—8 Months Without Bank

Announcement has been made that Brevard will soon have a bank in operation here, the capital stock of \$25,000 and surplus of \$5,000 having been fully subscribed. Early in the week announcement was made that plans called for opening of the new institution next Monday morning and those interested in the proposition are working hard toward that end.

J. H. Pickelsimer, one of the county's outstanding men, and J. S. Silversteen, head of the tanneries in the counties, W. W. Croushorn, of the Carr Lumber company, H. A. Plummer, merchant and county commissioner, Frank D. Clement, jeweler and member of the board of aldermen, C. R. McNeely, merchant and lumberman, and many other citizens are interested in the new bank.

Brevard has been without banking facilities since December 15, last, when the Brevard bank closed its doors during the general crash that was nation-wide. All citizens are agreed that a banking institution is absolutely necessary to the progress of the community, and announcement that men in position to assist and make possible the establishment of a bank here have agreed to take the lead in the work will come as welcome news to the whole citizenship of the county.

## BIOLOGY CAMP AT CEDAR MOUNTAIN

Among the many important activities in the mountains of Transylvania county, one of the most important and far-reaching is that of the Furman University Biology camp, at Burgess Glen, near Cedar Mountain. It is now in its second term of the summer course, which began on July 20 and will end August 22.

The work done is under the direction of Dr. S. A. Ives, head of the biology department of Furman University, and is of standard college grade. Each course is fully accredited and yields six semester hours. It is possible, however, to take a short course of two weeks in either botany, or zoology and secure a credit of two semester hours.

The total attendance for the first two weeks of this present term, including students, faculty and boarders, has been 41. There are two students from North Carolina. For two years before his death, Prof. A. C. Moore, head of the biology department of the University of South Carolina, was the professor of botany at this biology camp. Although most of the students are from South Carolina, yet there are representatives from North Carolina, Georgia, New Jersey, Florida and Alabama.

Since work was completed on the Caesar's Head highway the students and faculty members find it convenient and easy to visit Brevard, hence the very appreciable amount of shopping done in this town by members of the biology camp. The citizens of the town are making acquaintance of these new friends, and plans are being worked out for closer relationship between the camp and Brevard.

## Solicitor J. W. Pless Sets Forth His Reasons for Asking Outside Jury

Because of the prominence of the men involved, and the large following each has among the citizens of the county given as reasons for the request, J. Will Pless, solicitor, made motion to Judge Sink in Superior court Monday morning to have a jury brought from another county for the trial of the former bank officials and the former board of county commissioners and the former county attorney. The group is indicted for conspiracy in connection with the sale of a note of \$100,000 of the county last September. Defendants had repeatedly stated that they wanted to be tried by a jury of their fellow citizens in Transylvania county, but the solicitor, for reasons set forth in the following motion and affidavit, was granted request for a jury from another county.

Judge Sink ordered a venire of 125 citizens of Haywood county summoned, to be in Brevard at 10 o'clock Wednesday morning. Following is a copy of the motion and affidavit:

## TRIAL OF FORMER COUNTY OFFICIALS AND BANKERS IS ON

### Charges of Conspiracy and Misapplication of County Funds Being Heard

### MEN LONG PROMINENT IN COMMUNITY AFFAIRS

### Indictment Based Upon Sale of County Note for \$100,000 Last September

Trial of Thos. H. Shipman, former president of the Brevard Banking company, Jos. S. Silversteen, vice president, and J. H. Pickelsimer, C. R. McNeely, A. M. White, S. R. Owen and W. L. Talley, former commissioners, and Ralph R. Fisher, former county attorney, got under way at 11 o'clock Wednesday morning in Superior court. Judge H. Hoyle Sink is presiding over the court, and the state is represented by J. Will Pless, Jr., solicitor, assisted by Felix Alley of Waynesville, C. V. Taylor of Raleigh, and Pat Kimzey of Brevard.

Shipman is represented by J. Bat Smathers of Asheville and Jake F. Newell of Charlotte. Silversteen is represented by W. E. Brees and T. C. Galloway of Brevard. The Commissioners and Fisher are represented by Lewis P. Hamlin, Brevard, G. Lyle Jones, Asheville, R. B. Overton, Canton, F. D. Hamrick, Ruthersford, D. L. English and A. F. Michell, Brevard.

McKinley Edwards of Bryson City, arrived Wednesday to join counsel for Fisher and the commissioners. Newton Moody of Murphy, joined counsel for Silversteen Wednesday.

The eight men were indicted at the April term of court, the bill containing two counts—conspiracy to misapply county funds and misapplication of funds. The indictment is based upon the sale of a county note in the sum of \$100,000 last September. The state charges sale of note was made and proceeds deposited in the bank, when the county had \$600,000 on deposit; that the note was issued and the money deposited in the bank to the hurt of the county.

Friends of the commissioners stated when indictments were returned that the sale of the \$100,000 note which was in anticipation of the collection of 1930 taxes, was necessary, legal, and ordinary procedure of county officials. It is further said that the money so realized was for the purpose of paying expenses of schools, roads, and other county expenses; that the money was so paid out, before the former board went out of office and before the bank closed.

At 5:30 o'clock the final juror had been selected, and in the group there are seven farmers, two barbers, one clerk, one mechanic, one laundryman and one merchant. Names of the jury, including the 13th juror, follows:

T. C. Ledford, M. C. Sprinkle, J. T. Vance, W. R. Medford, Charlie McCrary, W. W. Hyatt, W. V. Jester, T. W. Cathey, J. W. Pless, Henry Allen, Frank Medford and J. C. Camp. The thirteenth juror is H. W. Burnett.

Taking of evidence in the case will start at 10 o'clock Thursday morning. The next case to be tried is one against the former board of county commissioners, charging the officials with failure to obtain sufficient security for county deposits in the bank. This case will be called upon conclusion of the case involving conspiracy now being heard.

After that case is disposed of, Thos. H. Shipman will be tried on the charge of an alleged shortage of \$21,000 in his account with the bank.

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## HON. JAKE F. NEWELL TO SPEAK SUNDAY NIGHT AT M. E. CHURCH



HON. JAKE F. NEWELL

## SEEK INJUNCTION IN NEW WATER RATE ADOPTED BY TOWN

### Judge D. L. English Obtains Temporary Restraining Order from Court

### CASE TO BE HEARD NEXT SATURDAY BY JUDGE SINK

### Alleged New Rate Violates Contract Made Between Town and Citizens

D. L. English, attorney, is leading a fight to obtain a permanent injunction against Mayor Ramsey and the board of Aldermen in the matter of collecting the recently increased water rates. A temporary restraining order was obtained in the chambers of Judge Stack's court in Asheville last Saturday, and a hearing will be held this coming Saturday before Judge Sink on the question of making the order permanent.

The following citizens are users of water in the town of Brevard constitute the plaintiffs in the case: Lem Brooks, Dr. E. S. English, W. R. Kimzey, W. L. Mull, M. B. Bagwell, J. B. Pickelsimer, W. M. Lyday, M. W. Galloway, J. W. Smith, and Miss Emma Bagwell.

Plaintiffs allege that the town of Brevard entered into an agreement with the citizens of Brevard in 1904, the effect of which was that the citizens should vote \$25,000 in bonds for the purchase of the Brevard water system from the private concern then owning it, and certain rates were established as maximum rates to be charged the citizens of Brevard for use of water from the water system. This schedule of charges, the complaint sets forth, was observed until a few weeks ago, when the rates were materially increased. This increase is unlawful, the plaintiffs allege, and ask that the officials be enjoined from forcing these alleged unlawful rates. It is reported that petitions are being circulated and signed by citizens, pledging to Judge English the full support of the citizens signing the petition in his efforts to obtain the permanent restraining order.

Following sections are copied from the complaint signed by W. L. Mull and served upon the town officials, which sets forth the contents of the citizens seeking the injunction:

1.—That at a regular meeting of the said Mayor and Board of Aldermen of the town of Brevard, in April 1904, the citizens and residents of

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## DOUBLING CAPACITY SILVER FOX RANCH

Capacity at the Blue Ridge Silver Fox ranch has been doubled, and another shipment of 75 animals is to be shipped to the Cherryfield ranch at an early date. Mr. Homer E. Whitmire, a native Transylvania county boy, but for the past several years connected with the Purina Mills at St. Louis, is head of the enterprise and located the ranch on his father's farm at Cherryfield. Mr. Whitmire and one of his associates, Dr. H. M. Denby, have returned to St. Louis after spending several days here.

Citizens who have visited the ranch predict a great future for the business. As an illustration of the value of the foxes grown on the ranch at Cherryfield, one of the number died in the spring, and the men in charge of the ranch stretched and treated the pelt, and sold it for \$150. This pelt is being displayed by the Purina Mills as sample of the perfect pelts from animals grown on the ranch at Cherryfield.

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The Hon. Jake F. Newell, Charlotte attorney and ardent church and Sunday School worker, will speak at the Brevard Methodist church next Sunday night at 8 o'clock, delivering his famous lecture on Palestine and the Holy Land. Mr. Newell spent many weeks traveling the highways of historic fame made sacred because Jesus journeyed over these routes two thousand years ago.

Mr. Newell has given this lecture in a number of the larger cities of the Carolinas, and Brevard is fortunate in having an opportunity of hearing him.

The lecture is freely given, and all people of the community are cordially invited to attend the services and hear this lecture so vividly and eloquently delivered.

Rev. J. H. West, pastor of the Methodist church, and Mr. Newell have been friends for many years, and Mr. West urges boarding house keepers and people having visitors to invite such guests to attend the lecture Sunday night.

## SCHOOLS WILL OPEN MONDAY, AUG. 31 IS FINAL DECISION

### Changed from First Monday in September to Make Complete Term Possible

### BUSH RE-ELECTED AS HEAD OF ROSMAN HIGH

### Delegations Appear to Protest Against Consolidations of Three Schools

Transylvania county's school board was in executive session most of the day Monday, making final preparations for opening of the schools on Monday, August 31. This new date was decided upon at Monday's meeting, and by moving the opening date up one week from original date set which was September 6, it is pointed out that four full months can be put in before Christmas. The new date, and it is said this is the last change that will be made, is to open the schools on Monday, August 31.

The budget has not been completed for the coming year, due to the fact that the local board has not as yet received the salary schedule for teachers, and cannot complete the budget until that is received.

Engagement of teachers for the entire county is not complete; it was reported by Superintendent Jones. Prof. G. C. Bush has been re-elected head of the Rosman High school, and Robert Kimzey was named by the Rosman committee as principal of the elementary school. Prof. Moore had been re-elected, but announced several days ago that he had accepted work in another school and could not serve, so Mr. Kimzey was named.

Aston Heath was named as mechanic. Erwin Galloway was elected as repair man for all buildings in the lower end of the county, and L. C. Case, Jr., was named for the upper end of the county. Bus drivers were engaged for all the school buses.

Mrs. Ruth Whitmire was re-elected as office assistant for a period of two years, beginning July first.

Delegations from Selma, Calvert and Oakland appeared before the board, protesting the consolidation of these schools. It was presented to the board that such consolidation worked tremendous hardships upon the smaller children of these communities. The board promised to take the matter up with the authori-

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## CAMERA COMPLEX PROMPTING THIEF

Some camera-minded thieves, with a picture complex, have been operating in Brevard, it is reported by those who have lost cameras through the pilfering of the focus-loving, snapshot artists, Pete Pithoud, well known here as having charge of construction of the power line through the county two years ago, is minus a camera, which was stolen from his automobile while parked in front of the old Whitmire Motor Sales place last Friday evening. Mr. and Mrs. Pithoud were attending the dance given at that place by Mrs. Croushorn, and it was while they were dancing that the picture-taking fiend swiped the camera.

At about the same time, it is reported, another robbery took place, and another camera was taken. Mr. Ernest Jansen was attending the bridge party at the Joines Motor Co. place, and left his car parked in the street nearby, and an excellent camera was therein, and later stolen. It is believed that the same lens-eyed thief appropriated both cameras.

## NOL PROS TAKEN IN CASE AGAINST THE SHERIFF OF COUNTY

### T. E. Patton, Jr., Set Free on Tuesday by Action of Solicitor J. Will Pless, Jr.

### COULD NOT PROCEED UNDER ORIGINAL BILL

### Has Been Active In Public Affairs Here for Number of Years

Nol pros was taken in Superior court Tuesday afternoon in the case pending against T. E. Patton, Jr., sheriff and tax collector of Transylvania county, who was to have been tried at this term of Superior court on charges alleging that Sheriff Patton obtained money from the Brevard Banking company through forgery of certain bills of lading. Solicitor Pless made announcement of this disposal of the case by explaining to the court that the state had found that it could not proceed against Mr. Patton on the bill of indictment returned against the sheriff at the April term of court; that he had prepared and was intending to present to the present grand against Mr. Patton when he discovered that the jury serving at this term of court had been irregularly drawn, therefore he could not proceed for the state under this proposed new bill. Hence the request for a nol pros in the case.

Sheriff Patton has long been in public life in Transylvania county, having served several times as county treasurer and is now serving his second term as sheriff and tax collector. His popularity in the county is attested by the fact that he has never suffered defeat at the polls, either in primary or general election, since entering public life. He was a member of the Patton-Pickett Tie and Timber company for a number of years, and the charges preferred against him in the indictment returned by the grand jury last April is the first time in his life, it is said by his friends, that any charge of any nature has been made against him. The indictment was based upon alleged frauds in connection with obtaining money from the Brevard Banking company through use of alleged forged bills of lading issued in the name of the lumber company, it is said, of which he was a member. Many friends of Sheriff Patton declare the nol pros action is indication that the state finds it is lacking in evidence to substantiate these charges.

When the true bill was returned against Mr. Patton at the April term of court he insisted upon trial at the time, declaring he wanted the citizens of the county to come into possession of all facts in the case at the earliest possible moment, and has steadfastly maintained innocence of any wrong-doing.

## TO ADVERTISE COUNTY TAXES DURING MONTH OF SEPTEMBER

The county commissioners adopted a resolution Monday instructing Tax Collector Patton to prepare and advertise the delinquent tax list during September. The sale will be made of all property on which 1930 taxes have not been paid in October. Postponement of several months has been made in the matter of advertising the delinquent list in order that taxpayers may have more time in which to make payments. The commissioners have waited as long as it is possible to delay the matter, it is said, hence the order to the tax collector to prepare and publish the list. It is believed that many people will pay their taxes during this month and avert the necessity of their property being sold for taxes.

## 125 Citizens of Haywood County Reported for Jury Duty In Brevard

Following is a list of the names of the one hundred and twenty-five citizens of Haywood county who were summoned to be in Brevard Wednesday morning for jury service. From this list twelve men will be selected to hear the case against the former bank officials, Messrs. Shipman and Silversteen, and the former board of commissioners, Messrs. Pickelsimer, McNeely, White, Talley and Owen, and the former county attorney, Ralph R. Fisher. Solicitor Pless made formal request to the court for a jury from another county, and Judge Sink ordered the jury from Haywood county. Sheriff J. A. Lowe was instructed Monday afternoon to summon 125 men to be in Brevard Wednesday morning, and at 2:30 o'clock Tuesday afternoon Sheriff Lowe appeared before Judge Sink with the list.

The court thanked Sheriff Lowe for his splendid work and ready co-operation. This list follows:

J. A. Hargrove, A. E. Moore, T. W. Cathey, W. W. Hyatt, J. H. Platt, J. M. Murray, R. A. Cathy, R. L. Jus-

## IRREGULARITIES IN DRAWING JURY LIST VOIDS ALL ACTIONS

### Jury Commission "Over-Zealous" In Its Efforts to Obtain Good Men, It Is Said

### COMMISSION EXCEEDED ITS AUTHORITY IN WORK

### All Work Done by Grand Jury at This Term Declared Null and Void

Transylvania county's jury commission caused considerable delay, needless expense and much confusion by its irregularities in drawing the jury to serve at this term of Superior court, as was evidenced Tuesday when all work done by the present jury was declared void. These irregularities consisted in over-zealous desire, the court said, on the part of the jury commission to select the very best men possible to serve as jurors. The law directs the jury commission to select the names of all men in the county subject to jury duty who have paid their taxes for the previous year, this selection is made, then a child not over ten years of age is to draw the names from the box or boxes, to the required number, and these so first drawn and successively drawn are to be placed on the jury list.

It seems that the jury commission went further than this, and proceeded to cull and re-cull the list, laying

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## COURT OFFICIALS RELIEVED OF DUTY

Unusual situations were observed in Superior court now in session, during the first two days of the week. Judge H. Hoyle Sink announced that no officers of the court could perform duties in the court while such officers were under indictment. Two such officers were under indictment, to be tried at this term, these being Sheriff T. E. Patton and Attorney Ralph R. Fisher. All cases in which Mr. Fisher appeared as attorney were continued until the December term.

In the case of Sheriff Patton, the court appointed F. E. Shuford and B. H. Freeman, chief of police, to act as bailiffs of the court, and directed Coroner G. B. Lynch to serve whatever processes in connection with the court that he might be directed to serve. This order was voided Tuesday afternoon, however, when a nol pros was taken in Sheriff Patton's case, and the sheriff immediately resumed his duties as officer of the court.

The following order was issued by the court:

"It appearing to the Court that the sheriff of Transylvania county, T. E. Patton, Jr., stands indicted before this Court, and at his request, personally and through his attorneys of record, he asks the Court to be relieved of any and all duties and responsibilities of his office as high sheriff insofar as they relate to this Court, and the Court finding as a fact that said high sheriff for the reasons above stated is under disability, disqualifying him to serve as an officer, or bailiff, appoints for the duration of this term of court F. E. Shuford and B. H. Freeman to act as bailiffs, and directs Coroner G. B. Lynch to serve such process or processes as he may be ordered to serve during the temporary disability of said High Sheriff.

"This order is made without prejudice to the High Sheriff or to any other person."

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