

MR. C. B. MASHBURN EXPLAINS ROAD MATTER

News-Record, Marshall, N. C.
I saw in the Sunday Times an article from the correspondent at Marshall as follows: "Plans for Madison Roads Fail as Board Reverses Position. Madison County Board of Commissioners in a Special Session called Friday reconsidered its action in voting to spend one hundred and fifty thousand dollars on a road from highway No. 69 to the Tennessee line via Mars Hill, and twenty thousand for a road up Big Pine Creek."
"The funds appropriated the earlier part of this week by the Board for this purpose are moneys due the county from the State Highway Commission."

"The decision not to build the roads in question or at least not at this time was reached when Chairman Claude Wilds changed his vote. At the meeting the first of the week he had voted for the building of the two roads."

"After hearing the resolution adopted at the earlier meeting discussed by prominent Marshall citizens who opposed it Chairman Wilds moved that the action on the earlier resolution be indefinitely postponed. Commissioner Silvers seconded the motion, John Ammons, a third member opposed the proposal."

"I read another article in the Asheville Times, Monday, as follows: "Mars Hill Folks Start Boycott In Road Fight."

"Circulate petition to end trade with Marshall merchants."

"Resent Loss of Road."

"Turn against the Hospital Bond Issue to be voted on Tuesday."

"Then follows a long discussion of the matter."

"I want to offer a few words in explanation of the position of some of the people of the town of Marshall."

The people of Marshall Tuesday night and Wednesday morning were astonished to learn that at the end of the day on Tuesday when the board of Commissioners had finished all other business, and all the people were out of office except the commissioners and the attorney, Mr. John A. Hendricks and the Clerk of the Board, one of the Commissioners, Mr. John Ammons, as I am informed and believe drew a resolution from his pocket and handed it to the attorney to read, which had been prepared elsewhere and by others than the attorney for the Board, and over the protest of the said attorney and one Commissioner, T. A. Silvers, passed the resolution appropriating one hundred and fifty thousand for a road that leads up California Creek into No. 11 Township and to the Tennessee line, and twenty thousand to the road up Big Pine Creek.

This resolution was a great surprise to all those who were acquainted with the facts in the case.

First, Madison County has no road funds on hand or available to build roads at this time.

A few years ago the Commissioners of the county borrowed six hundred and fifty thousand from various loaning banks, and executed short term notes for the repayment of this money, and have been paying interest on these notes, and loaned the said amount to the Highway Commission to build roads in Madison County under a contract that the Highway Commission would pay the principal sum of said amount back to the county for the purpose of paying off and discharging those short term notes.

The Highway Commission has paid back all the amount borrowed except about one hundred and seventy thousand, and the amount so paid back has been used by the Commissioners to pay off the said short term notes, and I am informed that in some cases the Highway Commission paid the amounts direct to the Banks holding the short term notes. The balance of the said short term notes representing about one hundred and seventy thousand will be due in the coming June, and if the amount is paid by the Highway Commission to the county, it will, or should be applied to pay off the balance of the short term notes, otherwise the county Commissioners will have to borrow money to pay interest on the said notes and continue to do so until the Highway Commission pays back to the County the amount. If the amount is not paid back before the said notes are due the county will have to borrow money at a high rate of interest to pay the interest on said notes, which will cost about ten thousand dollars a year.

If the county commissioners were to do so rash an act as to apply the one hundred and seventy thousand to any other purpose than to pay off the short term notes and get by with it then the commissioners of the county would have to bond the county, and they would have no right to do that without a vote of the people, to pay the one hundred and seventy thousand of short term notes, or in lieu thereof, levy a special tax of Ten Thousand Dollars to pay the interest on said notes, and a large amount to pay on the principal. The money which the Highway Commission owes the County has been dedicated to pay off the short term notes which the county gave

to get the money, and under the law the County Commissioners have no right to apply any funds of the county to any other purpose than that to which it was set apart, or intended for.

The County Commissioners cannot issue bonds without a vote of the people, and if they were to divert this one hundred and seventy thousand, necessitating a bond issue to pay the said short term notes, they would be doing indirectly that which they would not be allowed to do directly and might be liable for the offense of bonding the county without the (CONTINUED ON 8TH PAGE)

RESIGNS AS SCHOOL COMMITTEEMAN

REV. JAMES L. HYDE GIVES HIS
REASONS FOR RESIGNING
SCHOOL WORK AT WALNUT

Mr. H. L. Story, Editor,
The News-Record,
Marshall, N. C.
Dear Mr. Story:

Although I am very deeply interested in the schools of our county, and in our Walnut School in particular, I have just resigned from the Walnut School Committee. The reasons which impelled me to resign are matters that have been keeping our community stirred up and hurting our school. They include one matter that I think should be brought before the Grand Jury, since it seems to involve not only the violation of law but the disregard of one of the most cherished principles of our American government. I refer to the intimidation of voters.

Your readers certainly are all deeply interested in our schools, and have a right to have all the facts brought out into the open so that they can judge for themselves. Since I have not allied myself with any party or faction, but have tried to be fair and impartial in seeking the best interests of the school and community, it seemed to me that I was the one to place the facts before your readers. But when I began to prepare such a statement I realized that I had not yet had an opportunity to discuss these matters fully and freely with certain ones on both sides who are deeply concerned. Hence I hesitate to write anything concerning them lest I do them an injustice. I hope you will decline to publish anything from me or from anyone else that is not fair and free from bitterness.

I am convinced, and feel sure that your readers are convinced, that we shall never have the harmony and efficiency in our schools that we need until we have a board of education and school committees that will put all political considerations behind them, and administer the schools without reference to partisanship or to personal animosities.

I may add that since writing my resignation I have had a talk with the Chairman of the Board and am glad to say that he had no intention whatever of disregarding the wishes of the community. It was simply a case of the facts not having been made known.

Following is my resignation:
Walnut, North Carolina, April 5, 1929.

To the Board of Education of Madison County,
President R. L. Moore, Chairman,
Dear Sirs:

It is with regret but no hesitation that I hereby tender my resignation as a member of the School Committee of the Walnut Special School District.

We who put the good of our school and the welfare of our community above all partisan and personal considerations hoped much from your Board. We looked to you to give us a School Committee which would fairly and impartially represent the various elements in the community instead of being "packed" to represent only one.

I make no criticism of the gentleman whom you have just appointed, taken by himself, but taken as an addition to an already "packed" committee the appointment constitutes nothing less than an outrage to the impartial and nonpartisan elements of the community.

I have not allied myself with any faction nor with any political party. The gentlemen on the committee, including the last appointee, are all my personal friends and I would take up the cudgels for them just as readily if the committee were being "packed" against them and they were not receiving due consideration. As it is however I see no prospect for my usefulness on the Committee and with very many calls upon my time and attention I ask to be relieved at once.

Respectfully submitted,
James L. Hyde.

With deep appreciation of the News-Record, and especially of the editorial stand that it has been taking in its Publisher's Column, I am,
Yours sincerely,
James L. Hyde.

SEVEN TRIED FOR INTOXICATION

Wayne Tweed, Jeter Tweed, Ellis Wallin, Ed Davis, and Ed Payne were arraigned and tried before Mr. Lee Bryan, Justice of the Peace for public drunkenness Monday. Two of these paid fines of \$5.00 and costs while the other four were put under sentence of 30 days in jail and the sentence suspended for a period of two years on condition that they were to remain sober, otherwise they will have to serve sentence as passed.

Grover Robinson from No. 4 Township was brought in on the same charge and fined \$25.00 and costs.

STILL CAPTURED

Mr. Mitchell Gentry, one of the deputies under Sheriff R. R. Ramsey, captured an 80 gallon capacity copper still complete on last Sunday morning in the Shelton-Laurel section in No. 2 Township. He destroyed about 350 gallons of mash. No one was around the still when taken.

PRITCHARD REFUSES OFFICE NEAR NEGRO'S

Congressman-elect George M. Pritchard, of the tenth North Carolina, telegraphed to Washington last Saturday, his refusal to accept office quarters next to those of Oscar dePriest, new negro congressman from Chicago.

Representative Pritchard, questioned concerning the matter, said he believed he should be assigned another office because he "represents an all-white congressional district."

Pritchard last November defeated Congressman Zebulon Weaver, who had represented the district for 12 years. Weaver is a Democrat. He received another assignment.
—Asheville Times.

MARSHALL HI DEFEATS HOT SPRINGS 13 TO 8

Marshall Hi won their first ball game they have played this year with Hot Springs. The score was 13 to 8. Reid pitched a splendid game. Errors were very costly to Hot Springs.

SANDY MUSH AND UPPER LAUREL ROAD PROPOSITION

Store Robbed At Forks Of Ivy

Friday night of last week a store was robbed at the Forks of Ivy and a quantity of knives, watches, and dry goods was taken. Four young men were captured in Asheville on a charge of store breaking by the police of that city. Sheriff R. R. Ramsey went to Asheville to investigate and found that a good bit of the goods had been recovered from the boys. Two of the boys gave the names of Stanley of Asheville, one Rice and the fourth one we were unable to get his name.

Farmers of piedmont North Carolina are buying their seed Irish potatoes from growers in the mountains of Ashe and Avery counties.

WHERE IS THE JUSTIFICATION

Last Monday, April 8th, the Asheville Times carried a front page article with the following heading, "MARS HILL FOLKS START BOYCOTT IN ROAD FIGHT. CIRCULATE PETITION TO END TRADE WITH MARSHALL MERCHANTS. RESENT LOSS OF ROAD. TURN AGAINST HOSPITAL BOND ISSUE TO BE VOTED ON TUESDAY."

It is hoped that this is an exaggerated statement of the feeling and acts of the people of Mars Hill. At least, it cannot represent the sober judgment of so fine a community.

If the citizens of any section have been wronged, and that wrong can be shown, the people as a whole will right it.

But what are the facts over which a great many people have become unduly excited and possibly said and done things, that in their more sober moments they would not have said and done.

The County of Madison in the last few years has loaned to the State of North Carolina sums of money to carry on road work in the county. This money was loaned to the State with the express understanding that it was to be returned to the county. The County Commissioners in open session pledged that they would see that this was done.

The County borrowed this money that it loaned the state and gave its note for it. The state has returned to the County all sums borrowed except \$170,000.00. The county has its note outstanding for this amount and will have to pay it off when due. The county has no money to meet this note except the money due it from the state. If it is not paid to the county by the state the county has no way to meet its obligation. If this money is ordered placed on a road on Big Pine Creek and Upper Laurel section, how is the county to meet its obligation when due? It is the duty of our commissioners to see that all obligations are cared for. Would you suggest that the county issue bonds to cover this amount? No. This cannot be done except by a vote of the people.

In the face of these facts what happened? Commissioners John Ammons and C. J. Wild voting for and Anderson Silvers against a resolution giving a \$150,000.00 for an Asheville-Johnson City road through the upper end of the county and \$20,000.00 to Big Pine Creek road. These two items covering the amount the State owed the county of Madison. They took this action behind closed and locked doors, and without giving notice to any one in the county that such action was to be taken. They did this without making any provision to take care of the debt due by the county for said money.

When the facts became generally known that the action of the Board meant bonding the County in the sum of \$170,000.00, and that such action had been taken in secrecy and without knowledge of any of the voters of Madison County the people became indignant and asked that the action be revoked.

At a later meeting Mr. Claude Wild and Anderson Silvers over the protest of John Ammons revoked said order.

Before any of the citizens of Madison get unduly excited about this order being revoked they might look the question fairly in the face and see what is right about the matter. Where would Madison County have gotten the money to have replaced this \$170,000.00? Do you say bond the county for the amount? If so, shall it be bonded by the acts of the Commissioners in secret session or by a vote of the people as the law provides? Why did the commissioners when they passed this order close and fasten the doors of the commissioners' rooms and act in secrecy?

Commissioner Wild has corrected the mistake he made by revoking the former order and thereby shown that he is a servant of the people and not their master. Is not Mr. Ammons due the people of this county an apology for his action in this matter? SO WHY GET MAD?

Editor, News-Record:

The following is a copy of the Bill introduced in the State Senate of the recent legislature, providing the people of Sandy Mush, and the people of No. 5 and No. 11 Townships, known as the Upper Laurel country, with dependable roads.

A BILL TO BE ENTITLED AN ACT PROVIDING FOR MAINTENANCE OF ROADS IN MADISON COUNTY. THE GENERAL ASSEMBLY OF NORTH CAROLINA DO ENACT:

Section 1. That for the first two years, and longer if it shall be deemed advisable, the Board of Commissioners of Madison County are directed to authorize the State Highway Commission to expend the funds allocated to Madison County under the provisions of a bill creating a "County Aid Road Fund" passed at this session of the General Assembly under the provision of Sub-section (c) of Section 6 of said Act.

Section 2. That the State Highway Commission is authorized to supplement the "County Aid Road Fund" allocated to Madison County during the next biennium, not exceeding \$25,000 of the fund as may be due Madison County under the terms of existing contracts for the re-payment of county loans heretofore made to the State Highway Commission by Madison County to such extent as may be necessary in the opinion of the State Highway Commission to place in condition suitable for maintenance under the provisions of Section (1) of this Act the following roads:

(a) From Marshall in a south-westerly direction a portion of old State Highway No. 20 to Freeman's Gap thence via Teague's Bridge to the Forks of Sandy Mush Creek connecting with State Highway No. 63.

(b) A road connecting with State Highway No. 31 between Mars Hill and Cox's Bridge thence up California Creek through Upper Laurel Township, to the State line, and any expenditures thus made by the State Highway Commission shall be deemed and treated as a re-payment to Madison County.

Section 3. This Act shall be in force from and after its ratification.

The following is a copy of Subsection (c) of Section 6, of the State Highway law passed by the recent legislature:

(c) "By taking over and maintaining as a Secondary State Highway System a part of the county roads, connected with the present State Highway System, the said mileage to be such mileage as shall be agreed to by the State Highway Commission and the Board of County Commissioners or the county road governing authorities, and, in that event the State Highway Commission shall have the same authority, under the power of eminent domain, to acquire local material, or to change the grade or alignment of said road, as it now has with respect to State Highways. In such counties as a Secondary State Highway System is set up under this subsection, any additions to the State Highway System shall be taken from such Secondary State Highway System."

The Bill above mentioned grew out of the Bill which was introduced in the State Senate to cut off Sandy Mush Township and annex it to Buncombe County. Quite a large delegation came to Raleigh, urging that Sandy Mush Township be cut off. The delegation was represented by Mr. Andy Hipps, attorney from Asheville, and Mr. Albert Teague, formerly of Sandy Mush Township, now residing in Buncombe. The Sandy Mush people represented to the Committee on counties, cities and towns, that they were bottled up, and in anything like wet weather it was almost impossible for them to get out, and they made a pretty strong story. The Committee suggested that the proponents of the Bill and those opposing it get together and see if some arrangement could not be made by which Sandy Mush might have a road. A meeting was held that night at the Sir Walter hotel, and a large number of persons were present. Some of the parties became rather heated in the discussion. I stated to the committee and at the meeting at the Sir Walter hotel, that an effort had been made for the last two or three years to have the State take over the road from Marshall, by way of Freeman's Gap to the Forks of Sandy Mush, and that I thought that the Commissioners of Madison County and the people generally would be glad to cooperate in bringing about this result. I also stated to the committee and at this meeting, that the people in the Upper Laurel section of the County were bottled up for the want of a road as bad or worse than the Sandy Mush people, and if an agreement was entered into to provide Sandy Mush with a dependable road, that Upper Laurel must be included, which meant a road to be maintained from No. 31, up California Creek, through Upper Laurel to the State line.

Senator T. L. Johnson, from Robinson County, showed a very friendly spirit toward the Madison people and suggested that I prepare a Bill embodying the ideas above mentioned, and that he would support it.