

## FISHING LAWS AND REGULATIONS

### Complaints Made Of Violations By Madison Parties

Mr. A. F. Roberts, Game and Fish Warden of Madison County, has received a letter from Mr. J. S. Hargett, Assistant Director of the Department of Conservation and Development at Raleigh, N. C., in which it is declared that there has been complaint made against parties or mill owners or operators allowing sawdust to be put in Spill Corn Creek, and also Big Laurel Creek. On account of these creeks being inhabited by game fish, this violation is strictly against the law, as will be seen by a copy of the Pollution Act which we are publishing in connection with this article.

The editor of this paper has heard some complaints before about sawdust being put in Big Laurel River, and such a practice should certainly be stopped, as it means less game fish and polluted waters.

Following is the law concerning the pollution of streams, etc.

### SECTION 20, CHAPTER 84 PUBLIC LAWS 1915

#### Discharge of Deleterious Matter into Waters Prohibited

It shall be unlawful to discharge or to cause or permit to be discharged into the waters of the State any deleterious or poisonous substance or substances inimical to the fishes inhabiting the said water; and any person, persons, or corporation violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction, be fined or imprisoned in the discretion of the court; Provided, this section shall not apply to corporations chartered either by general law or special act before the 4th day of March 1915.

### CHAPTER 107 Public Laws of North Carolina SESSION 1927

#### AN ACT TO PREVENT POLLUTION OF FISHING STREAMS AND TRESPASS ON STATE FISH HATCHERY PROPERTY

The General Assembly of North Carolina do enact:

Section 1. No person, firm or corporation shall put or place in any waters within or on the boundaries of this State, any electricity, explosives or poisonous substances whatsoever for the purpose of catching, injuring or killing fish. No person, firm or corporation shall allow substances, poisonous to fish, to be turned into or allowed to run, flow, wash or be emptied into any waters within this commonwealth, designated by Fisheries Commission Board as fish producing waters, unless it be shown to the satisfaction of the Fisheries Commission Board or to the proper court that every reasonable and practicable means has been used to abate and prevent the pollution of waters in question by emptying into same any deleterious or poisonous substances: PROVIDED this section shall not apply to dyestuffs or sewage discharged from cotton mills.

Section 2. In prosecutions under this act for pollution of water by substances known to be injurious to fish or fish food, it shall not be necessary to prove that such substances have actually caused the death of any particular fish.

Section 3. No person shall fish or trespass with intent to fish in or upon any waters or beds or banks of any water, or any land controlled, or owned, or occupied by the State Fisheries Commission. No person shall willfully or maliciously destroy or damage any ponds, property or appliance whatsoever of the commission, nor interfere, obstruct, pollute or diminish the natural flow of water into or through any State fish hatchery.

Section 4. Any person violating any of the provisions of this act shall on conviction, be fined not less than one hundred dollars for each and every offense: PROVIDED, FURTHER, that this act shall apply only to such fish producing streams designated as such by the Fisheries Commission Board, and that no prosecution under this act shall be instituted except by said Fisheries Commission Board.

Section 5. This act shall be enforced from and after its ratification.

Ratified this 4th day of March, A. D., 1927.

Following we publish a copy of the article concerning licenses, open season for some fish, bag and size limits.

RESIDENT: No county license required except where authorized by County Commissioners under optional clause of law of 1929. Resident County license, \$1.10; daily permit, 50c. Resident county license required of persons fishing by any method in the following counties: Buncombe, Haywood, Graham, Swain, Jackson, Madison, Henderson, Yancey, Mitchell, Irwell, Alexander, Macon, Clay, Polk, Avery, Ashe, Burke, McDowell and Caldwell. Resident State license, \$2.10, required of all persons fishing outside of their home

### THOMASVILLE TO HAVE MEMORIAL HOSPITAL

Thomas J. Finch Offers \$40,000 In Memory Of Son Killed In Accident

Thomasville, April 17—"City Memorial Hospital" is the latest enterprise to be launched in Thomasville, according to the papers issued by the Secretary of State, Dr. C. H. Phillips, J. E. Lambeth, and Doak Finch, being the incorporators.

The offer of Thomas J. Finch, banker and manufacturer, to give \$40,000 made the establishment of the hospital possible. The Duke Foundation will give a like amount it is understood.

It has been known for some time that Mr. Finch wished to build a permanent memorial to his son, Brown Finch, who lost his life at West End crossing when fast train No. 37 caught the young man in his car, taking his life instantly.

The location of the hospital has not been determined. Among the sites discussed is the home of Mrs. Hamet Harris. C. F. Finch offers free a tract in the north-western part of town.



rubber tires are running, there are still no more than 80,000 miles of roads that can be rated as first-class.

More money must be spent for permanent highway improvements, highway officials and authorities all over the country are pointing out. Better use can be found for funds now being spent for maintenance and construction of roads that cannot cope successfully with the tons of shifting traffic that hurdle over them.

In many instances those charged with road planning have failed to recognize that motor transportation is a permanent thing and that the highway should also be as permanent as possible, else this and succeeding generations will continue to pour cash into a sink hole of maintenance and

periodical rebuilding.

An automobile mileage of 65,000 does not compare favorably with a first-class road mileage of 80,000.

Mrs. Hellfinder was attending her first football game. "Oh, isn't it awful," she cried. "Why, they will kill that poor boy underneath."

"Don't be silly, mother!" exclaimed her daughter. "He doesn't mind it—he's unconscious by this time.—Path-finder."

Over one million citizens of North Carolina were reached in various meetings and extension schools held by workers of the agricultural extension service of State College in 1928.

## THE PUBLISHER'S COLUMN ABOUT VARIOUS MATTERS

### WHAT'S GOING ON IN MARS HILL

It is always pleasant to run over to Mars Hill and find out what the people of that town and community are thinking about and doing. Wednesday town politics seemed to be claiming their principal attention. It seems that the people there are about equally divided in two factions municipally and politically speaking. They were not sure but that the two factions might get together on a ticket for town officers before the time of entries closed—April 27. Hence we are saying nothing about who may be the town officers in this issue, as things might take a change, either for better or worse before we could come out with this issue. We found that somebody is responsible for the town's having a fire fighting equipment, just purchased and Chief Roy Tillery, Mr. Bob Tilson, Mr. Fred Holcombe, Mr. G. K. Ponder, Mr. E. W. Reese, and some others seem to be having some fund trying the fire truck out. We also found Mr. J. V. Erskine and Mr. J. A. Fox of Weaverville over there with a crew of men planting telephone poles, preparatory to a telephone system which they are putting in there. Mr. Erskine hopes to have as many as seventy-five subscribers for telephones in Mars Hill. Several Mars Hill residents feel that Marshall has dealt unjustly with Mars Hill, California Creek, Nos. 5 and 11 Townships in the matter of roads. This writer is not in possession of all the facts in the matter, hence is not in position to express an opinion. However, we feel that if any wrong has been done, the wrong has not been shared in by everybody in Marshall, certainly intentionally, and the community as a whole should not be held responsible. If it can be clearly shown that Mars Hill, or any other community has been discriminated against, this writer, for one, stands ready to do all in his power to adjust or rectify any wrongs. This writer is certainly favorable toward Mars Hill and California Creek having as good road facilities as can be obtained in fair and honest financing but how to procure the necessary funds is the matter that seems to cause a difference in opinion. We should be delighted to see some solution of the problem that would bring relief to these people and at the same time satisfy the people of other sections of the county. The columns of this paper are open for a sensible discussion of this matter on both sides until an amicable feeling is brought about if possible.

### A FINE SERMON ON BETTER HOMES

This paper seldom prints sermons delivered locally for the reason that it would be impossible in our space to publish a sermon from every minister in the county, or even in the town of Marshall. One sermon in full would take more space than we can give to one subject. Besides, it would not, as a rule, be as effective as reading matter as it would delivered from the stand. Moreover, as this paper is not for one denomination more than another, we could not afford to print some and not offer the columns to the others. And it would not do to publish only those sermons which impressed this publisher, as it is impossible for him to hear more than one at the same time. But we do feel inclined to break the rule this week and say a word or two about the sermon delivered at the Baptist church in Marshall last Sunday morning by the pastor, Rev. H. L. Smith. It was the beginning of Better Homes Week, observed all over America, which movement has the support of President Hoover and many of our best leaders and thinkers. The matter was called to the attention of our readers last week in the Home Demonstration Agent's column, which was referred to by the minister. The congregation had been requested to sit together in family groups and a special invitation had been sent out to all the families to attend. Some visitors were present, also. The music had been selected suitable for the occasion, "The Family Circle" being a special selection, and the service closed with "Home Sweet Home." What the home means to America, what it means to each of us, the sanctity of the home, the making of a home, the beautifying of the home, the owning of one's home were points brought out by the preacher. Great stress was laid upon the value to good citizenship of the ownership of one's home. People should have a spot of land even if it is small and of not much value which they can call their own. It is an anchor in the storm-tossed sea of life, a place of refuge, a place of rest, a place over which the owner is ruler. Only by owning one's home can it be called home and the home is the foundation of society. It was a great and timely sermon and worthy of being broadcast to all America.

### PLAN FOR HIGHWAY TO TENNESSEE IS FAVORED AT MEET

Directors of the Buncombe County Good Roads association have endorsed the plan of J. G. Stikleather, state highway commissioner for the ninth district, to meet with Tennessee highway commissioners on the construction of a short route from North Carolina to Tennessee by way of Mars Hill and Erwin, Tenn., it was announced last week.

The directors met at the Langren hotel Wednesday night for their monthly session. The proposed new connection between Tennessee and North Carolina would shorten the distance from Asheville to Johnson City by more than 20 miles, it has been pointed out. Following passage of resolutions thanking Mr. Stikleather for his efforts in this behalf, the directors of the good roads association discussed western North Carolina roads in general.

## COURT IN MARSHALL

The regular April civil term of the Superior Court convened on Monday, April 22, with Judge Michael Schenck of Hendersonville presiding. The calendar was called which contained 14 cases, four of which were on the calendar for Monday. Of these four, two were continued and two were compromised, the most important being the case of Hazel Rudisill, Administratrix of the estate of Gordon Rudisill vs. B. & H. Coach Co. and American Fidelity and Casualty Co., was compromised late Saturday afternoon, April 20th, for the sum of \$2250 and costs, thus disposing of Monday's cases in very few minutes. The Rudisill case has been tried twice, the first time the plaintiff being awarded a verdict for the sum of \$8,500 by the jury, which was set aside by Judge Moore and a new trial ordered. The second time the jury failed to reach an agreement and were withdrawn and a new trial ordered. Nine days were consumed for the two trials. Hon. John A. Hendricks and Mr. Mark W. Brown were the attorneys representing the plaintiff and Messrs. Hester, Feimster and Thos. S. Rollins, attorneys representing the defendants.

The case of O. J. Thomas vs. Azalia Woodworking Co., in which he is asking damages for personal injuries in the sum of \$15,000.00, consumed Tuesday and most of Wednesday. The jury received the case at 11:45 A. M. Wednesday and deliberated about two hours, in which they say that the plaintiff is entitled to recover \$500.00. Judgment at this time has not been entered, and is not known at this time whether or not the defendants will appeal. Messrs. J. C. Ramsey, J. H. McElroy and C. B. Mashburn were attorneys for the plaintiff, with Messrs. A. Hall Johnson and Guy V. Roberts representing the defendant, Azalia Woodworking Co.

Two divorce cases were heard in which Mrs. Nora Mae Lunsford was granted an absolute divorce from Steve Lunsford, and Mrs. Mary Shelton was granted an absolute divorce from Arson Shelton.

The case of A. W. Sherer vs. Southern Railway Co. was compromised, the plaintiff receiving \$75.00 for store removed by the defendant from plaintiff's land, to repair walls which were damaged by the recent high tide of the French Broad River.

The case of McKinley Franklin vs. City Mill Co. and J. E. Ramsey, in which the plaintiff is seeking to recover the sum of \$10,000.00 for personal injuries received in an automobile collision while riding in the auto owned by J. E. Ramsey and being driven by the son of Jim Ed Ramsey, and colliding with a motor truck owned by the City Mill Co. and being driven by Doyle Rogers, an employe of the City Mill Co. Quite a lengthy discussion arose between the attorneys as to who is primarily responsible for the collision, the issues to be submitted to the jury having been agreed upon, the court proceeded with the case, placing the plaintiff McKinley Franklin, on the stand to testify as to how the accident happened. The plaintiff was in the Marshall hospital for two weeks suffering with a broken limb and other injuries received in the collision.

### DEATH OF MR. WILLIAM L. RECTOR

On April 22, at fifteen minutes till four o'clock Monday morning, William L. Rector, age 67, departed this life, the cause of death being gall stones. Mr. Rector was ill only two days preceding death.

The funeral was on Wednesday at eleven o'clock conducted by Rev. J. A. Martin, interment following at the Frank Rector grave yard. The pallbearers were: W. C. Rector, Mitch Shelton, Ernest Rector, Ervin Candler, R. G. Rector, and Joe Bishop. The deceased is survived by his wife and twelve children; one brother and two sisters.

## AN ANSWER TO "FAIR PLAY"

Mars Hill, North Carolina  
To The News-Record.

Please print this small article in your paper. Since everybody has been sending in write-ups to your paper, I might as well have my little say. To begin with I would like to ask a question or two?

I noticed Mr. and Mrs. or Misses Fair Play put an article in the last week's News-Record, trying to explain part of Madison County's history. I didn't know until last week that there was an "Information Bureau" in Marshall, and when I read Mr. Fair Play's article I found that there was.

Now, Mr. Fair Play, when you want to write an article, and don't want to sign your name to it, have it printed on a yellow sheet, and be up-to-date.

In settlements with the County, what do the words, "Other Expenses" mean? I notice the pay rolls of some of County officer holders. I notice and other expense, extra to their salary, what does this mean and what is it for? Do these men make this on the side or are they really entitled to it?

Well, Mr. Fair Play, you mentioned a hundred and seventy thousand dollars that the County had to pay out, and had no other way to pay it except to use the money that the State of North Carolina is due to Madison.

Was the County in debt at the time the commissioners transferred took and used one hundred thousand dollars that was allowed, together with a hundred and twenty-five thousand dollars to build a road from Marshall to Cox's Bridge? Where did this money go? How many roads are there in Madison County connecting with Tennessee? And where are they?

Now suppose we all try and be just as broad-minded as we can. We are most of us tax-payers, or in other words, tax-owners of Madison County. The taxpayers should all share alike in regard to road and schools. The tax money is not yours nor mine. It belongs to the taxpayers of said County, and when the commissioners use this money other ways than paying debts the County owes, it should be used proportionally in each part of said County.

Say, I'm opposed to robbing Paul to pay Peter. God, when He created man, He gave him a godly knowledge and when He created the beasts He gave them an instinct knowledge. The beasts have some knowledge of the weather; they don't seem to know anything about God or justice, right or wrong, or good or evil.

A man ought not to hold a pair of balances in his left hand with his eyes upward like a saint, and a dagger in his right hand behind him—that is not Fair Play.

Well, "The Hospital" went down like the "Titanic."

And will be raised about the same way.

Captain Smith had his crew, and made their brags, what they would do.

And I think the Hospital Crew, had their trot line set, too.

Respectfully,  
G. K. PONDER.

### SUNDAY SCHOOL WORK AT CENTRAL

Last Sunday at 2 o'clock P. M., the citizens of Grape Vine and Peeks Chapel and Petersburg gathered at Central school house, according to a previous announcement. After one song and a prayer by Rev. Suna Bullman, the object of the meeting was explained by Professor Hudgins, to organize a S. S., Mr. E. S. Morgan being present and called on for a talk and who has this section of Sunday School in charge, stated if the intention of organizing a S. S. was to gather the people to serve God, it would not interfere with the surrounding schools. He was for it as the school was on group four and it being his work. Mr. John Metcalf, an experienced Sunday School worker, was elected as principal of the school. We truly do hope all Sunday School people will rally out next Sunday at 2 o'clock P. M., that we may have a great school that will be a great help to the surrounding settlements, and a good report can be brought from this place to the Sunday School Convention. Churches, Sunday Schools, one and all, let's get busy and bring the best report that has ever been brought to the Sunday School Convention.

E. S. MORGAN.

### STONE—GOFORTH

A marriage that will be of interest to many people in Madison County is that of Miss Gertrude Goforth to Mr. Harold E. Stone.

Miss Goforth was formerly of Barnard, N. C. She attended Walnut High School and was in training in French Broad hospital for a year.

Mr. Stone is book-keeper for Spartan Mills Co. of Spartanburg. They are now at home at their friends at 411 Howard St., Spartanburg, S. C.