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## COMPLAINT IS FILED.

Case of Leak vs. Town of Wadesboro Moves a Step Forward—Answer Will Be Filed in Few Days—Hoped to Try Case at June Term of Court—Many Causes of Action Stated.

The complaint in the case of Mr. and Mrs. John D. Leak against the town of Wadesboro, the mayor and commissioners thereof was filed last Tuesday by the attorneys for the plaintiffs, McLendon & Covington, John T. Bennett and Frank L. Dunlap. Leaving out the descriptions of land and the copy of the bond ordinance adopted by the commissioners some time ago and published in The M. & I., the complaint is not a lengthy document as such things go.

The grounds on which the bond ordinance is attacked are, first, that the depot road is not contiguous to any other road it is proposed to pave, that a majority of owners representing a majority of the frontage refused to sign the paving petition, and that it is a separate project, whereas under the ordinance it is lumped in with other streets in one project; second, that the ordinance does not state definitely the proportion of the cost of paving to be assessed against abutting property, this being required by law, it is claimed; third, that the cost of the paving is so great, in proportion to the value of the land, as to be out of proportion, amounting practically to confiscation without just compensation; fourth, that the depot road is not a public street.

A survey of Mrs. Leak's property has been made, and she has 2,145 feet frontage. If the paving should cost \$4 a running foot to the abutting property owner, her cost would be \$8,580; should it cost \$5 a foot, her cost would be \$10,725; other prices in proportion. Although exact figures are not available at this time, the cost is estimated at from \$3.50 on up. To bear this cost, Mrs. Leak owns several acres individually, and has a third interest in a considerable acreage in the rear of her individual property.

Robinson, Candler & Pruette, attorneys for the town, are now preparing their answer to the complaint, and it is expected that the answer will be filed within a few days. It is understood that both sides are anxious for a hearing, so that the matter can be settled, and it is hoped that the case may be disposed of at the June term of civil court.

So far as has been determined at present, the paving is held in abeyance until the suit is decided.

After establishing their identity as citizens and tax payers of the town and as owners of the property, which is described by metes and bounds, and after establishing the identity of the mayor and commissioners of the town, the complaint proceeds as follows:

### Fifth.

That they are informed, advised and believe that the defendants, L. G. Atkinson, H. B. Allen, W. C. Hardison, L. D. Rivers and J. E. Moore commissioners of said town, on or about the 16th day of March, 1923, attempted to pass as an ordinance of the town of Wadesborough, a certain instrument of writing hereto attached marked "Exhibit A", and by this reference made a part hereof.

### Sixth.

That they are informed, advised and believe that under said alleged ordinance referred to in the preceding paragraph, said defendants are preparing to pave and improve certain streets or parts of streets named in said alleged ordinance; that one of the streets proposed to be paved and improved is the so called Depot Road, which passes through the property of the plaintiffs and upon which the real estate of the plaintiffs described in paragraph 3 of this complaint abuts directly; that said so called street, designated in said ordinance as Depot Road, does not make any physical contact or connection with any other street or streets or part of any other street or streets mentioned in said ordinance and proposed to be paved and improved as aforesaid, and is not contiguous thereto; that they are further informed, advised and believe that said Depot Road is and was illegally included in the streets designated in said ordinance to be paved and improved as aforesaid, for the reason that said street is not contiguous to any other streets therein named as aforesaid, and for that a majority in number of the owners representing a majority of the lineal feet of frontage of the lands abutting upon said Depot Road have not signed a petition asking that said Depot Road be so improved, as required by law, and by reason thereof said defendants are acting without lawful authority in including said Depot Road in such proposed improvements, and said alleged ordinance is void insofar as it relates to the improvements of said Depot Road.

### Seventh.

That they are further informed, advised and believe that said commissioners, by the inclusion of said so called Depot Road in said proposed

improvements, are attempting to incorporate in said alleged ordinance, above mentioned, more than one improvement in violation of law.

### Eighth.

That said alleged ordinance, a copy of which is hereto attached and marked "Exhibit A" provides, among other things, Section 3, sub-section C: "At least one-fourth of the cost of the improvements for which bonds are hereby authorized to be issued, exclusive of the cost of paving at street intersections, has been or is to be assessed upon the lots or parcels of land abutting directly on said improvements and upon the railroads or street railway companies (if any) having tracts in the streets to be improved." That from the above quotation from said alleged ordinance, it appears that said defendants commissioners have assessed, or propose to assess "at least one-fourth of the cost of the improvements" specified in said alleged ordinance upon the lots or parcels of land abutting directly on said improvements; that the plaintiffs are further informed, advised and believe that said alleged ordinance is invalid for that it does not state definitely the proportion of the cost of said proposed improvements which has been, or is to be, assessed upon the property abutting on such improvements and the terms and manner of the payment therefor, as required by law.

### Ninth.

That they are further informed, advised and believe that should said alleged ordinance prove to be valid that under the law the said defendants commissioners would be required to specially assess upon the lots or parcels of land abutting directly on the proposed improvements according to their respective frontage thereon by an equal rate per foot of such frontage 80 per cent of the costs of such improvements, exclusive of so much of the costs as is incurred at street intersections, and the share of railroads or street railways; that in such event there would be specially assessed against the property of the plaintiffs abutting directly on the so called Depot Road several thousands of dollars, without regard to benefits.

### Tenth.

That the lands of the plaintiffs abut continuously on the North and West side of the so called Depot Road for a distance of about 1419 feet; that there are very few desirable residence lots on said property, on account of its slight depth and its topography; on the South and East side of so called Depot Road the plaintiffs' lands abut continuously thereon for a distance of about 726 feet; that said lands are situated about eight feet below the surface of the present road on which they abut and are unsuited for dwellings or business houses on account of their physical situation. A plat and topographical map of said lands, lying and abutting on both sides of said alleged Depot Road, is hereto attached marked "Exhibit B", and by this reference made a part hereof.

### Eleventh.

That by reason of the peculiar location and situation of the property of the plaintiffs, as aforesaid, the special assessment which the defendants commissioners contemplate levying and assessing upon the property of the plaintiffs for the proposed improvements hereinbefore mentioned, will impose upon such property a liability substantially and grossly in excess of, and disproportionate to the special benefits conferred by such improvements, and will virtually amount to a taking or confiscation of the plaintiffs' property for public use, without just compensation therefor; that such an assessment against the lands of the plaintiffs would be a gross abuse of power and violation of the Constitution of North Carolina and the Constitution of the United States in depriving them of their property without due process of law.

### Twelfth.

That they are informed, advised and believe that the so called Depot Road mentioned in said alleged ordinance is not a public street of the town of Wadesborough.

Wherefore, the plaintiffs pray the Court for judgment:

1. That said alleged ordinance, a copy of which is hereto attached, marked "Exhibit A", be declared null and void insofar as it affects the property rights of the plaintiffs.

2. For the costs of this action.

3. For such other and further relief as, to the Court may seem just and proper, and to which they may be entitled in law and equity.

## THE LABOR SITUATION.

Reports are being sent out from all states of labor going north, and there has been considerable complaint of the activities of labor agents, so much so that the railroads and other agencies are taking measures to combat their activities. Locally not much has been heard of labor leaving, although there has been some complaint, and it is said there are some farms lying out on account of the tenants leaving.

## ANSON COUNTY IS TEXT OF ARTICLE

Held Up To Country As Example of Demonstration Work—Is Now a County That Counts.

Anson county is made by the U. S. Department of Agriculture the text of a recent press article on farm and home demonstration work. The article says in part: "The bank deposits in Anson County, North Carolina, increased in the last 10 years from \$645,000 to \$2,100,000. The story of how this increase in property came about is an excellent recommendation for modern farm practices recommended by the United States Department of Agriculture, State Agricultural College, and the county and home demonstration agents. The increase was due almost entirely to better farming for in the entire county there were only about 800 persons employed in manufacturing plants.

"Anson is now a county that counts among counties. Of the 2,800 in the United States where the principal interest is agriculture it is the first to complete 10 years of farm and home demonstration work with the same two agents for the entire period. The improvements which have been brought about as a result of this decade of work for better farms and better homes are a good indication of what can be accomplished by continuous well-planned effort.

"Ten years ago the farm income came almost entirely from cotton, and about 50 per cent of the improved land was devoted to that crop. Most of the remainder was planted to corn which was used on the farms. The little livestock to be found in the county was poorly bred and unprofitable.

"At the present time there are more than 20 purebred beef bulls, 30 dairy bulls, 14 rams, all of one breed, and so many purebred hogs that a census would be required to determine the number. One farmer secured last year a pair of the once common razorback pigs and people traveled from all parts of the county to see these strange animals. The foundation of this livestock development was in the feed grown. A surplus of pork over the needs of the home market is being shipped out of the county and 15 farmers are now shipping cream. There are now 19 silos where a few years ago there were none, and farmers are taking a great deal of interest in feeding problems.

"There are many more kinds of agricultural improvement work going on, but the county agent considers the cotton marketing association the most important development in the entire ten years. More than 400 farmers in Anson County signed the contracts when the State-wide cotton marketing campaign was carried on last year.

"Much of the home demonstration work, which was begun a little later than the farm demonstration work, has been centered on boys' and girls' clubs and canning work in which the farm women have taken an interesting interest. The home demonstration agent has increased the interest of women in gardening, food preservation, household management, clothing, millinery, nutrition, home dairying, and poultry production. They have been helped in the organization of associations for selling their surplus products."

## COMMUNITY MEETING AT HOME OF JOHN W. KIKER.

On account of the benign influence of the community meetings held by the Wadesboro Advertising Club these Get-Better-Acquainted meetings will be held at stated intervals all during the summer months, and already a regular schedule for these social gatherings is being arranged, so that between now and next fall every part of the county may be visited in this effort to bring about a better understanding of the dependence on each other of urban and rural workers.

The next meeting of this kind will be held at the home of Mr. and Mrs. John W. Kiker in the Diamond Hill section on the night of Thursday May 24th. A very interesting social program is being arranged for this occasion, and every resident of Burnsville township is courteously invited to attend this meeting. As on previous occasions there will be good music, short talks, light refreshments and similar social entertainment to foster the friendly cordiality between neighbors and townfolks.

Future meetings will be announced later.

## NOTICE

There will be a meeting of the Civic Department of the Woman's Club in the court house Monday afternoon at 4:30 o'clock.

There are several very important matters to come before this department. Every member is urged to be present and on time.

MRS. T. L. CAUDLE, Chmn.

## THE PRISON INVESTIGATION

Governor Morrison Withdraws Request That State Board of Public Welfare Conduct Investigation—Solicitors and Grand Jurors Will Act.

Governor Cameron Morrison Friday slapped the State Board of Public Welfare in the face with the announcement that its investigation of the State and county prisons' systems would be more embarrassing than helpful to him and issued a statement assuming full charge of an inquiry which he requested the Attorney General to ask the solicitors of the twenty districts of the State to make.

The action of the Governor coming on the heels of arrangements by the State Board of Public Welfare under Mrs. Kate Burr Johnson, commissioner to put into effect the governor's request for an investigation by the board, was the most startling development of the prison situation since E. E. Dudding of Washington, D. C., president of the Prisoners Relief Society, delivered his first broadside against conditions in the State. It directly followed a conference between one of the members of the staff of the State Board of Welfare with Dudding in Washington in which the board came into possession of all the information upon which the head of the Prisoners Relief Society based his charges. It came also, shortly after the State Prison Board adopted a resolution "that no persons other than the Governor of North Carolina or a grand jury in session, in accordance with the law, be allowed to confer with any prisoners under the jurisdiction of the State Prison authorities except in the presence of the supervisor under whom such prisoner or prisoners may be confined, or in the presence of some employee of the State's Prison delegated by such supervisor," says The News and Observer.

"The reason for the passage of this resolution is of course obvious to you." Superintendent George Ross Pou informed Mrs. Johnson in a letter acquainting her with the action.

## T. C. COXE PRESIDENT OF WADE MFG. COMPANY

At a meeting of the board of directors of the Wade Mfg. Co. last night, Mr. T. C. Cox was elected president, succeeding Mr. W. P. Parsons, who resigned on account of his health. Mr. Cox has been vice president, and Mr. James A. Leak was elected to this position.

## COLLECT OF THE CLUB WOMEN OF AMERICA.

Keep us, O God, from pettiness; let us be large in thought, in word, in deed.

Let us be done with fault-finding and leave off self-seeking.

May we put away all pretense and meet each other face to face without self-pity and without prejudice. May we never be hasty in judgment and always generous.

Teach us to put into action our better impulses, straightforward and unafraid.

Let us take time for all things; make us grow calm, serene, and gentle. Grant that we may realize it is the little things that create differences; that in the big things of life are as one.

And may we strive to touch and to know the great common woman's heart of us all; and O Lord God, let us not forget to be kind.

MISS MARY STEWART, Colorado.

## LAND TRANSFERS.

The following real estate deeds have been registered since The M. & I.'s last report:

J. R. Sikes and others to J. A. Porter; 83 acres in Burnsville township; \$175.

J. S. Webb and wife to F. G. Fetzer; division of lots in Mont Calm.

Mont Calm Land Co. to J. E. Gray; Wadesboro lot; \$605.

Geo. T. Boyette and wife to Charlie Rushing; one acre near Peachland; \$1.00 etc.

P. A. Meeks and wife to Jim Montgomery; 2 acres on Brown creek; \$63.

T. L. Caudle and wife and W. P. Parsons to Francis E. Liles; 2 lots on Wanoca Terrace; \$3,000.

T. L. Caudle and wife to Wade Mfg. Co.; 12.33 acres in Wadesboro township; \$922.60.

B. Frank Gullede to Elizabeth Gullede; 62 acres in Gullede township; \$5.00 etc.

Wilson B. Teal and wife to Mattie P. Teal; interest in 56 acres in Gullede township; \$10 etc.

M. E. Threadgill to Wade Mfg. Co.; 31.42 acres in Wadesboro township; \$3,142.

Miss Mary Gray, daughter of Mrs. W. F. Gray, yesterday lost a \$10.00 bill on the streets of the town. She is very much distressed over the loss, as she had the money for a special purpose, and she requests that the finder return it to her.

The M. & I. does good Job Printing. Bring us your next order.

## COTTON ASSOCIATION ELECTS DELEGATES.

The meeting of the Anson county branch of the cotton association was held in the court house last Monday afternoon, and was well attended. Mr. J. A. Hardison was elected permanent chairman and Mr. W. Henry Liles permanent secretary of the county organization. The main business before the meeting being the election of delegates to the district convention to be held on May 22nd at a place to be designated, probably Charlotte. Mr. Hardison appointed E. C. Griggs, C. P. Robinson, F. M. Hightower, J. W. Cameron and J. W. Sullivan a nominating committee.

The delegates to the district meeting finally elected were J. W. Sullivan, E. C. Griggs, W. Henry Liles, W. P. Parsons, B. I. Dunlap, J. T. Webb, C. P. Robinson, A. D. Griggs, B. R. Wall, J. Smith Henry, B. D. Nelme. The following alternates were also elected: Lester Ratliff, Dr. J. W. McLendon, Lancy E. Griggs, W. P. Broom, W. H. Downer, S. B. Lee, J. W. Jones, J. E. Harkay, W. D. Gullede, J. C. Redfern, J. T. Capel.

After the business part of the meeting was over talks were made by Messrs. J. A. Hardison, E. C. Griggs, F. M. Hightower, Adam Lockhart and others regarding the benefits that were being derived from marketing cotton through the association. The chief business of the district meeting will be to elect a director for this district, and it is expected that Mr. L. D. Robinson will be re-elected if he will accept.

## SPECIAL MEETING OF CHAMBER OF COMMERCE

A special meeting of the entire membership of the chamber of commerce has been called by President Hardison for tomorrow night at the town hall to consider certain changes in the existing by-laws. The meeting begins promptly at eight o'clock, and will act only on the questions for which the meeting is called. Notices of this special session were mailed to every member last week in accordance with the by-laws, and the invitations stress the importance that every member be present to avail himself of his prerogative to vote on any contemplated or proposed changes of the rules and regulations of the organization as adopted last year. Since the chamber of commerce has begun to function properly, it was deemed advisable to make the mode of election of officers and a board of directors hereafter less cumbersome than existing by-laws permit. Every member is cordially requested to attend this meeting and to voice his sentiments how in future the annual election of officers shall be conducted.

## PROPOSALS TOO HIGH.

Postmaster C. A. Bland states that the post office department considers the bids on the several new post office proposals too high, and the inspector who was here some time ago has been asked to give the matter further attention. It is supposed he will attempt to get some of the proposals lowered. However, with the costs of building advancing as they are, it is not likely that the proposals will be lowered materially.

## BASEBALL MEETING TONIGHT.

Several Albemarle men were here last Friday conferring with Wadesboro enthusiasts regarding the proposed baseball league. At the end of the conference there seemed to be very little prospect for a league, there not being a sufficient number of towns interested in the league proposition. However, it is believed that Wadesboro will be able to put out an excellent home talent team, and a number of other towns in this section expect to do likewise. A call has been issued for a meeting at the court house tonight at 8 o'clock.

## COMMUNITY FAIRS.

This year we want to assist in holding some community fairs in various sections of Anson County. A community fair can be a very helpful occasion and it is our plan to make them as interesting and educational as possible.

We want to meet with the ladies and the men at the following places next week to discuss the matter. Everybody who is interested in their section of the County are urged to be present. The meeting will not be long and we hope to see you there.

Times and places are as follows: Deep Creek, Wednesday, May 23rd, 3 P. M., at School House.

Diamond Hill, Thursday, May 24th, 3 P. M., at School House.

Peachland, Friday, May 25th, 3 P. M., at School House.

Ansonville, Saturday, May 26th, 3 P. M., at School House.

MRS. R. A. REDFEARN, J. W. CAMERON, County Agents.

The Boy Grew Older. "And has he learned to talk yet?" "My, yes! We're teaching him to keep quiet now."—Life.

## BIBLE CONFERENCE AT LILESVILLE.

Will Begin May 27th—Fine Program Arranged—Accomplished Speakers Each Day.

The Lilesville union Bible conference, as arranged by Rev. George Ager, will begin May 27, lasting through June 3. A very interesting program has been arranged, and those who attend are assured of some fine speeches. Here is the program: Sunday, May 27, Morning—Dr. E. T. Vann, Cor. Sec. Board of Education of the Baptist State Convention, Raleigh. Subject: "Compensations in Service." Afternoon—Rev. J. J. Douglass, Pastor First Presbyterian Church, Wadesboro. Subject: "Minds Stirred to Remembrance." Evening—Dr. E. T. Vann. Subject: "Compensations in Life."

Monday, May 28, Afternoon—Rev. C. M. Pickens, Pastor Methodist Church, Albemarle. Subject: "Some things I saw in Jerusalem." Evening—Rev. Bruce Benton, Pastor First Baptist Church, Rockingham. Subject: "The Victory of Love."

Tuesday, May 29, Afternoon—Dr. Q. C. Davis, Pastor First Baptist Church, Albemarle. Subject: "Paul's Message to Us in His Epistle to the Ephesians." Evening—Dr. C. L. Jackson, Pastor First Baptist Church, Wadesboro. Subject: "Second Coming of Christ."

Wednesday, May 30, Afternoon—Dr. Livingston Johnson, Editor Biblical Recorder, Raleigh. Subject: "The Fuller Life." Evening—Dr. Livingston Johnson. Subject: "Keeping Alive the Soul of the World."

Thursday, May 31, Afternoon—Women's Missionary Program by the Anson Division. Evening—Rev. J. B. Willis, Pastor Hamlet Baptist Church, Hamlet. Subject: "Seeing the Other Man's Viewpoint."

Friday, June 1, Afternoon—Dr. W. R. Burrell, Pastor Baptist Church, Monroe. Subject: "Romans on Depravity." Evening—Dr. W. R. Burrell. Subject: "Romans on Assurance."

Saturday, June 2, Afternoon—Dr. Luther Little, Pastor First Baptist Church, Charlotte. Subject: "The Fact of Jesus." Evening—Dr. Luther Little. Subject: "The Christian Program."

Sunday, June 3, Morning—Evangelist Bert E. Williams of Perry, N. Y. Subject: "The Holy Spirit as Related to Service." Afternoon—Dr. C. L. Jackson. Subject: "Second Coming of Christ." (2nd Address.) Evening—Evangelist Bert E. Williams. Subject: "The Holy Spirit the Revealer of Christ." Song Service conducted by Mr. Earl Razor, of Charlotte. The song service will be a feature of each meeting. Mr. Razor is well known as one of the best choristers in North Carolina.

## WINFREE-MANER.

A marriage of much affectionate interest here and elsewhere in the state occurred last evening at the home of Mr. and Mrs. J. H. Maner on the Dumas Ferry road, when their daughter, Miss Addie became the bride of Mr. J. A. Winfree. The house was beautifully decorated for the occasion with evergreens and lovely spring flowers. The ceremony was performed by Rev. W. R. Shelton in the presence of a large number of friends and relatives. The bride was handsomely attired in a suit of tan with harmonizing accessories. Immediately after the ceremony Mr. and Mrs. Winfree left for a trip to Washington and Baltimore by the Bay Line route. Mr. Winfree is a substantial farmer and cotton broker. His bride is popular with a large circle of friends who wish for them a long life of happiness.

Federal revenue agents have been in the county this week, and have conducted several raids, in conjunction with representatives of the sheriff's office. A still was found in the barn of G. R. Ballard, of Lilesville township, about three gallons of liquor in his house, and 300 pounds of sugar somewhere around. Ballard was put under bond. A still was also found at or near the home of George Ratliff, and a worm and other parts of a still at the home of Steve Wiloughby, both of these being colored. The worm at Wiloughby's was a perfect spiral, of very fine workmanship, and the only one of the kind which has been found in the county, since Sheriff Braswell went into office.

The Dark Town Minstrel, presented last Friday night under the auspices of the Eastern Star, was enjoyed by a large audience. The Dark Town Wedding, with Mr. B. M. Arrington and Mrs. J. W. Odum filling the leading roles and Mr. Paul J. Kiker as the officiating minister, was the feature, and it attracted much attention.

The M. & I. does good Job Printing. Bring us your next order.