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Local Attorney Spotlight – Nathaniel M. Smith



Nathaniel M. Smith graduated in 2006 from Clayton State University, earning a Bachelor of Arts degree in history and he graduated in 2009 from Washington and Lee University, earning a Juris Doctor degree.

Nathaniel is admitted to practice before the Georgia Supreme Court, the Georgia Court of Appeals, and the Superior, State, Juvenile, Probate and Magistrate courts of Georgia. Nathaniel is a member of the Christian Legal Society and Christianlawyers.com.

NATHANIEL M. SMITH
70 Macon Street
McDonough, GA 30253
Phone: 678-272-8305

CALENDAR OF EVENTS

Upcoming Luncheons

November 2

Lawyers Assistance
Program

Upcoming Events

October 8

HCBA Bar Social
Jailhouse Brewery
5:30 p.m.

December 3

HCBA Christmas Party
Eagle's Brooke County
Club
6:30 p.m.

Announcements

Check out HCBA's New
Website at:
[http://www.henrycounty-
bar.com/](http://www.henrycounty-bar.com/)

For More Information
Contact Christina Kempter



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Halloween Laws You Did Not Know Existed

Dublin, GA – “It shall be unlawful for any person to be and appear on any of the public streets of the city or in any of the public places of the city wearing a mask, hood or other apparel or regalia in such manner as to conceal his identity, or in such manner that his face is not fully visible, or in such manner that he may not be recognized; provided, that the provisions of this section shall not be applicable to or enforced against children sixteen (16) years of age and under who may participate in traditional Halloween activities on the evening of the last day in October of each year, and who may be garbed in the usual or customary children’s Halloween costumes ” Code 1964 §17-5, Section 14-3.

Rehobeth Beach, Delaware – “If October 31 shall be a Sunday, such going from door to door and house to house for treats shall take place on the evening of October 30 between the hours of 6:00 p.m. prevailing time and 8:00 p.m. prevailing time.” Chapter 198: Article IV: Section 198-33

Walnut, California – “No person shall wear a mask or disguise on a public street without a permit from the sheriff.” Ordinance 14-05-01

Alabama – “Whoever, being in a public place, fraudulently pretends by garb or outward array to be a minister of any religion, nun, priest, rabbi or other member of the clergy, is guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding \$500.00 or one year, or by both such fine and imprisonment.” Section 13A-14-4.

Hollywood, California – “No person shall possess, use, sell or distribute silly string at, within or upon any public or private property that is either within public view or accessible to the public including but not limited to public or private streets, sidewalks, parking lots, commercial or residential buildings, places of business or parks within the Hollywood Division during Halloween.” Ordinance No. 176176, Section 56.02.

McDonough Square – Train wreck in 1900 is said to be the source of haunts in McDonough, Ga. Several of the injured were brought to McDonough Square for medical treatment and some died. Legend has it that their ghosts can be seen in old nearby buildings and the sounds of phantom trains can still be heard.

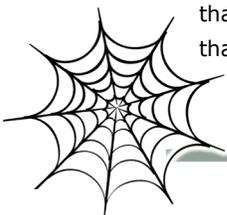
Warren House – The plaster has been stripped down in certain sections of this house to reveal the signature of men who convalesced here during the Civil War when the house was used as a hospital. People believe that the ghost of a soldier still remains inside the Warren House and claims that at night you can still see him standing at the window.

STAMBOVSKY v. ACKLEY “The Ghost Buster Case” 169 A.D.2d 254 (1991)

Plaintiff, to his horror, discovered that the house he had recently contracted to purchase was widely reputed to be possessed by poltergeists, reportedly seen by defendant seller and members of her family on numerous occasions over the last nine years. Plaintiff promptly commenced this action seeking rescission of the contract of sale. Supreme Court reluctantly dismissed the complaint, holding that plaintiff has no remedy at law in this jurisdiction.

The unusual facts of this case, as disclosed by the record, clearly warrant a grant of equitable relief to the buyer who, as a resident of New York City, cannot be expected to have any familiarity with the folklore of the Village of Nyack. Not being a "local", plaintiff could not readily learn that the home he had contracted to purchase is haunted. Whether the source of the spectral apparitions seen by defendant seller are parapsychic or psychogenic, having reported their presence in both a national publication (Readers' Digest) and the local press (in 1977 and 1982, respectively), defendant is estopped to deny their existence and, as a matter of law, the house is haunted. More to the point, however, no divination is required to conclude that it is defendant's promotional efforts in publicizing her close encounters with these spirits which fostered the home's reputation in the community. In 1989, the house was included in five-home walking tour of Nyack and described in a November 27th newspaper article as "a riverfront Victorian (with ghost)." The impact of the reputation thus created goes to the very essence of the bargain between the parties, greatly impairing both the value of the property and its potential for resale. The extent of this impairment may be presumed for the purpose of reviewing the disposition of this motion to dismiss the cause of action for rescission (Harris v City of New York, 147 A.D.2d 186, 188-189) and represents merely an issue of fact for resolution at trial.

Read the complete case at:
http://www.leagle.com/decision/1991423169AD2d254_1381/STAMBOVSKY%20v.%20ACKLEY





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Side Bar – Halloween Edition

**Cold Cases
and
Cocktails**

at Cannon Cleveland
Funeral Home
2580 Hwy. 42N, McDonough, GA
5:30PM - 11:00PM

Oct. 23, 2015
Dinner by The Grand Gourmet
\$100 per individual • \$150 per couple
Tables of 10 for \$750

TICKETS AVAILABLE AT:
Laura S. Crumbley CPA
48 Atlanta St., McDonough, GA 30253
Moye's Pharmacy
62 Keys Ferry St., McDonough, GA 30253

Plan to add to the fun and frivolity by decorating your table! PRIZES WILL BE AWARDED!

Visit our website for more information and details
www.McDonoughArts.net

**Crypts, Cold Cases
and Cemetery
Tour**

Saturday, October 24th
4PM - 10PM
McDonough Cemetery
& Richard Craig Ballfields

Live Music with DJ • Food Trucks
Creepy Face Painting • Zombie Land

Free Festival
Crypt Tour - \$10

Tickets Available at
Moye's Pharmacy
62 Keys Ferry St.
McDonough, GA 30253

Visit our website for more information and details
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October 1-31

Fear the Woods
7 p.m. to 11 p.m.
The Yule Forest
3565 Ga. 155
Stockbridge

October 25

Costume Contest & Fall Festival
3:00 – 5:00 p.m.
Southern Bell Farm
1658 Turner Church Road
770-288-2582

October 28

Vampire Facelift
6:30 – 8:30 p.m.
Eagle's Landing Skin Treatment Center
1325 Rock Quarry Road
Stockbridge, GA
770-846-2295 – reservation only

October 31

Trunk or Treat & Haunted Hayride
5:00 p.m.
Locust Grove City Hall
3644 Ga. 42
October 31
Trick or Treat at Tanger Outlets
4:00 p.m.
1000 Tanger Drive

October 31

Hampton Business & Merchants
Association Costume Contest
4:00 – 6:00 p.m.
Depot Park
20 E. Main Street

October 31

Downtown McDonough Trick-or-Treat
3:00 – 5:00 p.m.
McDonough Square

