

# David V. Carringer, 66, Dies Unexpectedly At Home

Coleman.

Honorary pallbearers were

Ivie Funeral Home was in

GRAHAM - A Superior

Court judge, hearing the con-troversial Nantahala Power

and Light Co. sale case on

appeal here Monday, said he

would try to rule in the mat-ter within 30 days to speed

it on its way to a Supreme

Court verdict,
Judge Henry A. McKinnon
of Lumberton heard the case,

with all its stored - up

complexities at a day long

session in Alamance County

Superior Court, The case was brought on ap-peal from a State Utilities

Commission order approving the sale of NP & L trans-

mission facilities to Duke

Power Co. by a group of pro-

testing customers in six West-ern North Carolina counties.

Involved in the sale are all

of the electric distribution

facilities in Jackson, Macon,

Clay, Cherokee, Graham, and Swain Counties, including a

lin, Sylva, Dillsboro, Web-ster, Bryson City, Andrews and Robbinsville together

with certain transmission

City, Dillsboro, and Franklin

The appeal was set in Ala-

mance in expectation of a further appeal to the State Supreme Court, The high

Court's calendar is so ar-ranged that it could hear any

appeal from there during the

spring term this year,
Judge McKinnon said in view
of the certainty of an appeal

from his decision, he would

make every effort to reach a judgement by March 11.

during the day --- attorneys or the power companies pledged there would be no transfer of the NP & L facili-

ties until a final order is ob-

Commission,
This eliminated what had

been a touchy issue following the SUC approval of the sale which made the transfer ef-fective immediately. Op-ponents were unsuccessful be-fore the SUC in seeking a stay

on the effective date, A similar motion was made Monday morning before Judge Mc-

However, Carl Horn, Jr., chief counsel for Duke, said early in the proceedings that "We have no intention of at-

tempting to complete the sale until the matter has been heard in the Supreme Court," He

noted that the utilities com-

mission did not rule on the stay petition filed with it be-

cause the sale requires FPC

cause the sale requires FPC approval.

Near the end of the day, R. C. Howison, attorney for Nantahala, made a formal statement on behalf of both companies that "there would be no transfer unless and until there is an order permitting it by the FPC."

Attorney Lacy Thornburg of Sylva, one of four lawyers representing the appellants, said this seemed to leave immaterial whether a stay was issued or not, Appearing with Thornburg were E. B. Whitzaker of Bryson City and William T, Crisp and Vaughn Winborne, both of Raleigh, A preliminary motion pre-

tained from the Federal Power

One issue was disposed of

three hydroelectric

rating plants at Bryson

members of the Men's Bible

class of the church.

MURPHY - David V. Car- Edward Townson, and Charles

ringer 66, died unexpectedly in his home Saturday morning, Feb. 9. Mr. Carringer was a native

of Graham County, son of Mrs. Amanda Ditmore Carringer, Amanda Ditmore Carringer, who survives, and the late Samuel W. Carringer. He came to Cherokee County in 1909, where he taught school for two years, He also taught in Graham County, He was a smallenger of G. W. later an employee of G. W. Candler in the general merchandise business.

Later Mr. Carringer be-came associated with Neil Davidson in a grocery store. He began operating the D. V. Carringer Department Store in 1934 and retired in 1961.

in 1934 and retired in 1961.
Surviving in addition to the mother are the widow, Mrs. Carrie Hampton Carringer; one daughter, Mrs. Roberta Williams of Knoxville, Tenn.; three sons, Grady and Harry of Murphy and Jack of Detroit, Mich.; three sisters, Mrs. Lee Coker and Mrs. Everett Hall of Brasstown and Mrs. Lake Ledford of Cottage Grove, Oreg.; four and Mrs. Lake Ledford of Cottage Grove, Oreg.; four brothers, Dillard of Murphy, Wayne of Brasstown, Floyd of Knoxville, Tenn., and Zack of Oak Ridge, Tenn., and a number of grandchildren.

Services were held at 2 p.m. Monday in Murphy First Methodist Church.

The Rev. Clark Benson, pastor, the Rev. Alfred Smith and the Rev. Fred Lunsford officiated and burial was in Maggie's Chapel Church Cemetery.

Pallbearers were Jack Dickey, H. A. Mattox, Dr. Paul Hill, Charlie Johnson,

### **New Tax Law** Offers Tax Savings To Farmers

By James M. Stewart A new tax law this year ould mean a considerable savings to farmers who pur-chased new or used machinery

chased new or used machinery and equipment in 1962.

For a farmer who acquired new or used depreciable property for use in his business, he may be able to reduce his tax liability by seven per cent the amount of the investment which enablifies for the first which qualifies for the first year the property is placed n service.

The amount of the investment creditis deductable from the actual tax to be paid, An example of this would be similar to this: a farmer purchased a new tractor in 1962 for \$2200. The investment credit is \$154. If the farmer was originally scheduled to pay \$200 tax he can subtract the investment credit and his tax would now be \$56.

In order to obtain invest-ment credit the farmer must file Form 3468. To qualify the property must have been purchased after Dec. 31, 1961, and have an expected useful

Cherokee County farmers could save themselves considerable money by obtaining a Farmers TaxGuide and utilizing the information available in this tax publication. Free copies of the Farmers Tax Guide are available in the County Agent's Office,



# Murphy Boy Is Injured In Wreck

MURPHY - Ray Elliott, Larry Brown, and a friend of Mr. Elliott's were enroute to Murphy from a vocational school in Nashville, Tenn., to spend the weekend when they had a wreck Saturday morning seven miles beyond Chatta-

nooga, Tenn. Mr. Elliott was cut on the arm and is a patient in a Chattanooga hospital, Mr. Brown and the other occu-pant of the car were not seriously hurt and were dismissed from the hospital.

The car was wrecked beyond repairs. Mr. Elliott is expected to return home the latter part of the week.

FORMER NEWSPAPER OWNER, EDITOR HERE FOR FUNERAL

MURPHY - Carl W. Bailey, former owner and editor of The Scout, came to Murphy Monday to attend the funeral of his old friend and fishing partner, E. C. Moore, Mr. Bailey now lives in Atlanta.

Mr. Bailey first came to Murphy in 1921 as a linotype

paper.

He later bought control of the paper when Sipes entered the teaching profession.

He sold the paper to L. A.

Lee, now of Dalton, Ga., in 1937.

Mr. Bailey is now an "ad in the composing room of the Atlanta newspapers, He plans to retire at the end of

sented by the appellants with

the petition for a stay of the effective date of the sale de-

murred to the sufficiency of

tahala rested its application

to the SUC for permission to

Argued by Winborne, the de-

murrer claimed two faults with the application: That it failed to set forth as required by lat that "public convenience and necessity" de-

manded the sale, and that be-cause of Nantahala's true

ability to serve its customers

there was no adequate cause

But Horne said Winborne, in

contending the law requires a showing that public interest must demand a sale before it

could be justified, was arguing

for an interpretation entirely

opposite to Supreme Court

decisions. Public necessity,

Horne said, means only rea-

perative requirements.

Horne said the high court

had also affirmed the basic

right of one utility to sell it

property to another. He said the cause for the action was

adequate: That Nantahala was

running out of power and that

Duke was the most feasible

source of future supply.

Judge McKinnon withheld any immediate ruling on

At another point, the appel-lant raised the issue of the

bias they alleged was dis-played throughout the SUC hearings by Commissioner

Sam Worthington,
Thornburg told the court
his side had raised the issue

before the utilities commis-sion "only with much re-luctance" and were doing so

to the court only after care-

He said the charge of bias

was among the most serious challenges being made to the legality of the SUC order.

lengthy quotations from the SUC hearings during which

he said Worthington cross-examined sharply numerous witnesses for the protestants

but never corss-examined any

The appellants also claimed that Worthington displayed bias in exchanges with the attorneys for the protesting

Worthington's alleged bias, the appellants argued, was sus-tained by the record and alone

would be sufficient grounds

for reversing the order.
Horne took issue with the

Horne took issue with the attribution of bias to Worthington, He said Commissioner Thomas Eller of Brevard and others engaged in similar exchanges with attorneys. No more or no less bias could be charged to these commissioners on the basis of the entire record, he claimed. The presiding judge, having earlier received the voluminous record of the long SUC proceedings Monday's appeal arguments centered on briefs submitted by both sides.

At that the appeal briefs ran to 51 legal sized pages supported by a 44-page notice of appeal. The power companies answered in a 41-page document.

objections reciting

of the witnesses for the ap-

He laid before the court

ful consideration.

plicants.

the demurrer.

sonably necessary and not

sell to Duke.

for the action.

the legal basis on which Nan-

**Expected In 30 Days** 



# operator when Sipes and Berry towned and operated the news-And Buiness Leader, Dies

MURPHY - E.C. Moore, 74, successful businessman and civic leader who is past years put his own money into the town of Murphy when it needed help, died Mornday morning at his

Citing eight points of error claimed in the SUC order, the

appellants detailed challenges

as to the constitutionality of

the order on three grounds:

1) That is deprived the appellants of their property without due process of law in violation of state and federal

2) That it unlawfully confers

3) That is unlawfully estab-

The briefs further claimed

that even if the allegations of

fact in the NP & L application

were ture, they were insuf-ficient to justify the sale; that the SUC erred in failing to

grant motions to dismiss and for a non-suit; that the SUC

reached conclusions and find-

ings which failed to support its final order and that the

conclusions it reached were

not supported by its findings.
In fact, the appellants calined, the order conclusion

and findings were all unsup-

ported by competent evidence.
They calimed the SUC exceeded its statutory authority

in the order and that the order,

conclusions and findsings of facts were "arbitrary and capricious."

at length that in addition to that the commission should

have disqualified Wor thington

for bias, erred in denying a

sale to Duke be postpored until

it had ruled in a separate application by Nantahala for a

general rate increase, lerred

in denying a request that some part of the hearings be held

in Western North Carolina,

erred in failing to request

Tennessee Valley Authority to

determine the best terms under which TVA power would

be available for distribution

in the Nantahala service area,

power companies to introduce evidence over the objections of

the protestants while refusing

fered by the protestants,
In a final point, the appellants contended that the SUC order unlawfully established

electric rates by decreeing that the old Nantahala rates would be in effect under Duke

Power Co. for a period of

the sale.

three years from the date of

In answer to these charges

the power companies main-tained that the commission's

order approving the sale was

supported by the greater weight of evidence at the hear-

ings, and did meet all sta-

tutory requirements of public convenience and necessity.

They claimed that the record fully supported the commission's findings that Duke Power Co, is well qualified the render adequate service.

"to render adequate service to the public utility customers in the area, economically and at reasonable rates."

They cited the testimony of numerous Nantahala officials and engineers to demonstrate that Duke's connecting to the Nantahala system would not

(Continued on back page, col. 1)

mit certain evidence of-

and erred in permitting th

Nantahala to negotiate vith

motion that the question of the

The appellants also argued

upon NP & L exclusive pro-

fits and privileges in violation of the state constitution.

lished a monopoly alson in violation of the North Carol-

ina constitution,

He was active in his busi-ness, the local Dodge auto-mobile agency, for 40 years, and stepped aside only six months ago because of illness.
Mr. Moore served several

terms on the town council, and on the Cherokee board of County Commissioners, of which he was once chairman, Several times during his career he loaned money to the town without interest, the most noteworthy instance being the purchase of the old Southern States Power Co., in the late 1930s, when conversion to TVA was being pursued, At that time, he put up a large part of the estimated \$100,000 the town needed.

He was a director of the Citizens Bank and Trust Co. for many years, and was a charter member of the Mur-phy Lions Club, He recently donated a 10 acre tractof land to the Boy and Girl Scouts for a camp site, and had planned to erect a building on it.

He was publicly cited in 1961 by State Sen, Frank Forsyth for his civic activity and his

leadership.
A native of Clay County, he was a son of Thomas C, and Callie Caldwell Moore, He came to Murphy in 1910 to open a jewelry and watch-making shop, Eight years later he opened a Willys-Overland dealership, and in 1922 he ac-quired the Dodge franchise. He was an active member

of the FirstMethodistChurch, where services were held at

Officiating ministers were the Rev. Clark Benson, the Rev. Alfred Smith, and the Rev. Robert Potter, Burial was in Sunset Cemetery, Surviving are the widow, Mrs. Fannie Johnson Moore;

two daughters, Mrs. Moselle Puett of Murphy and Mrs. Martine Manthey of Paris, Tenn.; two sons, Ray and Cloe of Murphy; 12 grandchildren; four sisters, Mrs. Maymie Smith of Hayesville, Mrs. Dollie Lowe of Bessemer, Ala., Mrs. Katherine Shelton of Highland Park, Mich., and Mrs. Eliza Gregory of Hi-wassee, Ga.; and five broth-ers, Harvey M. of Hayesville, William T. of Andrews, J. B. of Murphy, Paul Moore of Young Harris, Ga., and Frank Moore of Blairsville, Ga.

The family has requested that donations in lieu of flowers be made to the Murphy School Library, The body re-mained at Ivie Funeral Home until 30 minutes prior to the Pallbearers were James

Evans, Dr. William R. Gossett, W. A. Singleton, Duke Whitley, John T. Gill, and Lofton Hatchett.

R. LEIGH - Senator W.

Franc Forsyth of Cherokee

County is a shoe-in for the chairmanship of the Senate Banking Committee.

The assignment will make him one of the most powerful senators in the 1963 session. His immending appointment not yet rade officially, was

not yet rade officially, was confirmed by well-informed sources We'nesday.

Legislative consideration of the upsurge is statewide bank mergers and branch banking will pass under the committee Forsyth will head. The banking studies are among the chief items expected to come before this session of the General Assembly.

Forsyth is a Murphy Banker and is a chief lieutant of Senate President T. Claunce Stone of Rockingham.

This relationship also

# Bulldogs To Play Canton

CANTON-With the consummation of a contract with the Murphy Bulldogs of the Smoky Mountain Conference, Coach Boy Allen has completed a full 10-game football schedule for his Canton Black Bears for the 1963 season.

The addition of Murphy to their schedule fills an open date that has existed on the Canton card for the past two

Although Murphy is an AA school, and Canton is AAA, Allen expressed himself as being very happy with the new alignment, He pointed out that the Bulldogs have been very colorful and successful in recent years, and their appearance in state playoff games in Canton stadium have made them popular with local fans. The Black Bears host the

Bulldogs on September 27,



Date	L	н	Perc.
6	21	68	10
7	28	66	10
8	26	49	trace
9	30	50	0
10	22	52	, 0
11	37	51	0,09
12	26	37	0,51

Forecast: Thursday, broken to overcast cloudiness with occasional snow flurries; Friday, broken to scattered cloudiness; Saturday and Sunday, broken to overcast cloudiness with light snow or rain likely by Saturday night or Sunday.

### SECOND TRAINING PERIOD SET FOR COMMITTEES

By Ronnie Atkinson, Ass't Agricultural Extension Agent The second training session for the Sponsoring Commit-tees of Murphy, Bellview and Ranger was held Tuesday night

Feb. 11. The next step now for these sponsoring commit-tees is to select two leaders, man and one woman for each club and then to organize the individual community

The leaders will be trained through four training sessions to be held when these leaders have been contacted and have agreed to serve.

The sponsoring committee will receive further help at periodical training meetings.

CULLOWHEE - Miss Jac-

queline McNabb has been chosen "Miss Student Tea-

cher" at Western Carolina

member of the Student Natio-

been an active member of the

chairman,

Baptist Student Union through-

A graduate of Hiwassee Dam High School, she is the

Forsyth, in 1961, offered legislation to create a multi-

Jackie McNabb Chosen

John L. Ellis, and three grandchildren, all of Andrews; a nephew, Frank Ellis, and a niece, Mrs. Mabel Massey, both of Murphy. Funeral services will be

in Andrews First Methodist Church with the Rev. Edward Whitson officiating.

Masonic graveside rites will be conducted by the And-

conducted Thursday at 3 p.m.

rews Lodge.
Active pallbearers are W.
D. Whitaker, Sam Hartman,
Edgar Wood, Robert Heaton,
Lee Nichols, Jr., Joe Sursavage, Frank Ledford, and Gorden Roberts. A son of the late Joel T, and family moved to Murphy and he attended the Murphy schools. He was an employee of the Gulf Oil Co. in Murphy don Butler.

Honorary Palibearers are members of the Smoky Mountain Shrine Club.

The body will remain at Ivie uneral Home in Andrews until 30 minutes prior to the service.

# Murphy Calendar

THURSDAY, FEBRUARY 14
1:00 p.m. - Cancer Clinic at
Health Office,
3:15 p.m. - Cherub and Junior
Choirs at First Methodist
Church

Church. 7:30 p.m. - Red Cross Meeting in Murphy Power Board

Building. Friendship Night will be observed at Murphy Chapter No. 10 Order of Bastern Star, Masonic Hall,

Rescue Squad to meet in Powe Board Building. FRIDAY, FEBRUARY 15 7:00 p.m. - Andrews -vs-Murphy, Andrews. 7:30 p.m. - Heart Fund Dance at Rock Gym. Clark

Continentals will furnish the Music, \$1,25 per person.
SATURDAY, FEBRUARY 16
7:00 p.m. - MYF Sweetheart
Banquet at Phillips Hotel
in Robbinsville,
SUNDAY, FEBRUARY 17

dence Chapel. 11:00 a.m. - Holy Mass at St. William Catholic Church Services at First Methodist

Church. Services at Presbyterian Church. Services at Messiah Episcopal Church.

Services at Free Metho-dist Church,

MONDAY, FEBRUARY 18
3:30 p.m. - Agricultural workers council meeting at the
Courthouse,
6:30 p.m. - Rotary Club at Family Restaurant,

7:30 p.m. - St. Patrick Adult Education Study Club at St. Williams Catholic Church. PTA meeting at RockScho

Building.
TUESDAY, PEBRUARY 19
10:00 a.m. - Circle No. 4 of
First Methodist Church to
meet with Mrs. Merle

1:30 p.m. - Bellview H. D. Club at home of Mrs. Clyde

McNabb, 6:30 p.m. - Civitan at Family

Restaurant,
7:00 p.m. - Murphy -vs-Robbinsville at Murphy,
7:30 p.m. - Circle No. 1 of
First Methodist Church to
meet in Men's Bible Class
Room of Church, Mrs., Jack
McGuire and Mrs., Charles

Senator Forsyth To Be Bank Committee Chairman sured him of an influential position with the Senate Pub-lic Utilities Committee, where expected legislation in the Nantahala Power and Light Co. rate dispute will eventually

plant production, fertilization and investment.

Tomatoes offer an opportunity for higher income to farmers who have limited acreage. It is a crop which offers high per acre returns, Vegetable crops are good income producers and require good growers who fully realize the work and effort involved. The tomato school next Wednesday; 7:00 p.m., in the Murphy Power Board building will provide the latest information on tomato production. Other tomato schools will be scheduled throughout the year to inform producers of practices which need special attention, Some of the schools will be held in doors, others will be held in the field.

All farmers who plan we grow tomatoes commercially should attend this meeting. county power district to pur-chase Nantahala distribution facilities which Duke Power Co is trying to purchase. The sale to Duke has been approved by the State Utilities Commission but is being contested in Alamance Superior Court, Forsyth's bill in 1961



Truman McNabb of Murphy. TOWATO SCHOOL SCHEDULED FOR FARMERS

Cherokee County farmers will have available to tem, first in a series of tomato production schools, Feb. 20. The school is designed to pro-vide information on markets, plant production, fertilization and investment.

## Miss Student Teacher College, where she is a sen-ior majoring in business edu-Miss McNabb has been a nal Education Association for three years, and has served as both reporter and secretary for that organization. She has out her college career, and currently serves as social During the spring quarter, Miss McNabb will engage in student teaching at Enka High School, and will represent WCC at the spring meeting of the North Carolina Education Association in Ashe-

daughter of Mr. and Mrs.

# Luke Ellis, Age 64, Dies

### Following Short Illness ANDREWS - Luke Ellis, age 64, died in an Andrews hospital Tuesday morning at 8:00 a.m. following a brief illness,

Mr. Ellis owned and operat-

ed Andrews Cleaners from

1946 until 1959. He worked with the Soil Conservation

Service for a number of years

prior to opening his business and again from 1959 until his

retirement on February 4.

Elizabeth Groves Ellis, he was

born in Clay County. The

until 1926 when he moved to

Andrews where he operated the first Service Station for a

He was a member of the

Andrews Presbyterian Church

and a charter member of the

Andrews Rotary Club, had served as president of the club

and in many other capacities,

was a member of Andrews Masonic Lodge #529, AF and

AM, a member of the Smoky

Mountain Shrine Club and

of the York Rite Masonic Bod-

ies of Bryson City and Way-nesville and of Oasis Temple

He was an ardent sports-

man, having organized a base-

ball team in Andrews in 1926

and managed Andrews teams

for many years. He was also

active in promoting other sports and in improving the

Surviving are his wife,

Olive Tatham Ellis, one son,

athletic facilities in And-

number of years.

AAUNMS.