

Supreme Court Favors Murphy Mail Order Firm

J. Harvey Wilson Sr. Wins Decision On Jenkins Act; McKeever Is Attorney

A Murphy mail order firm today had won a 7-2 Supreme Court decision in a hearing growing out of a four year old charge by the Federal Government that J. Harvey Wilson Sr., doing business as Cooperative Buying Service here violated provisions of the Jenkins Act.

The act—seeking to prevent mail order cigarette business—stipulates that concerns must "forward" to the government of the state, to which the cigarettes are mailed, the number of cigarettes and to whom they were sold.

The case started in the Federal courts of Louisiana when Mr. Wilson was indicted with alleged violation of the act in Louisiana. Defense attorney Hobart L. McKeever of Murphy won a motion in the Louisiana court that if a crime had been committed, it had taken place in North Carolina and not in Louisiana.

The U. S. appealed the federal court decision in Louisiana to the Supreme Court in Washington, D. C. Mr. McKeever argued his case there where he

won the 7 to 2 decision

Mr. McKeever built and won his case on the infinitive "to forward"

The defense asserted and the court agreed that an offense, if any, was committed in North Carolina because the names and number of sales were not sent on their way (or "forwarded") in this state.

Had the act used the words "to file", instead of "to forward", McKeever pointed out, the U. S. would have had a stronger case in the lower federal court.

The defense attorney asserted that the decision of the Supreme Court forces the Department of Justice to indict the firm in North Carolina or to change the law

Boy Scout Executive On Visit Here

Vernon McCurry of Asheville, new field executive of the Daniel Boone Council, Boy Scouts of America, made his second official visit to Murphy Monday when he discussed Boy Scout Week plans with Murphy Scout Master Irvin Greene.

Mr. McCurry replaced Fred Snell who has been transferred to Waycross, Ga.

McCurry had experience in Boy Scouting when he was connected with the Blue Ridge Council in South Carolina. He has recently been discharged from the Army after two years overseas and he began his work with the Boone Council in January.

The new field executive said he plans regular trips to Murphy to confer with the local Boy Scout workers.

The Murphy Lions Club sponsors the Boy Scout Troop here.

N. C. Gets Taxes Totalling \$128,058 From TVA In Year

In the fiscal year ending June 30 1952, North Carolina received \$128,058 in taxes from the Tennessee Valley Authority, as required under Section 13 of TVA Act, amended in 1940.

This statement was issued by TVA to make clear the fact that local and county taxes are paid by the TVA. TVA said that some private utilities have tried to create the impression that the power system in the Tennessee Valley does not pay taxes.

Murphy is the only power buyer of TVA power in the state and shared with other counties in which TVA Dams are located on the taxes paid in North Carolina. TVA paid a total of \$3,036,207 in the 7 states and 135 counties in which it is located.

Rep. Mauney On 11 House Committees

RALEIGH—Cherokee County representative in the North Carolina General Assembly, Richard Mauney, has been appointed to 11 committees of the House of Representatives by Speaker of the House, E. T. Bost Jr. of Cabarrus County.

The committees of which Mauney is a member are: Congressional Districts, Conservation and Development, Counties, Cities and Towns, Finance, Insurance, Manufacturers and Labor, Military Affairs, Printing, Roads and Highway Safety, Elections and Election Laws and Mental Institutions.

In a "Report to the people" of Cherokee County, which Mr. Mauney sent to The Scout, he pointed out that although the General Assembly convened Jan. 7, the governor's illness has prevented

much "real work". He said "the real legislative work still lies ahead of all of us".

Rep. Mauney said he intends to introduce bills only when they benefit Cherokee County or North Carolina as a whole, and will not introduce bills "just to see my name in print".

Mauney said he plans to send a "report to the people" every two weeks to inform them of the county's representation at the legislature.

Box Supper To Benefit Polio

The Murphy Lions Club will sponsor a box supper Friday at the school lunchroom with proceeds going to the March of Dimes.

Everyone is invited to attend the supper which will include a cake walk, music and fun, Loren Davis, chairman, said.

Members of the box supper committee include in addition to Mr. Davis, C. E. Hyde, John Davidson and Joe Ray.

Must File State Income Tax By March 15

A representative of the N. C. Department of Revenue will be at the Cherokee County Courthouse to give assistance in filing state returns on the following days: Feb. 12, Feb. 13, Feb. 20 and March 11 through March 15.

North Carolina State Income Tax Returns are due to be filed on or

before March 15, 1953. A single person with an income of \$1,000 or more, or a married man with an income of \$2,000 or more is required to file a State Income Tax Return. A married woman, with a separate income of \$1,000 or more from that of her husband, is required to file a return.

Taxpayers who have previously filed should use forms received which bear their names and addresses.

It is necessary under the Law that remittances accompany the returns. Penalties automatically apply after March 15th to returns on which tax is due but not paid. For illness, absence or inability to get necessary records together, extensions may be secured through the Department of Revenue at Raleigh.

Failure to receive a form does not relieve a person of liabilities to file.

68,900 Visitors See Hiwassee In Past Year

Hiwassee Dam was visited by 68,900 persons during 1952, TVA announced today.

More than 5,704,000 visitors saw the various TVA dams during the year, with Fontana rating third highest in the number of visitors with 739,650.

Kentucky Dam was visited by the largest number of persons

with an estimated 894,130. Other estimates: Norris, 852,400; Chickamauga, 618,520; Fort Loudoun 461,660; Pickwick 441,300; Douglas 306,700; Cherokee 277,200; South Holston 195,900; Watauga 165,400; Watts Bar 180,950; Wilson 88,800; Wheeler 87,800; Guntersville 106,100; Boone 97,800; Hales Bar 100,500; Fort Patrick Henry 26,200.

Turner Still Unconscious With Injuries



The rear end of a 1952 Studebaker truck did this to a 1948 Ford taxi Friday at 6:30 a. m. on U. S. 64 about 3/4 mile West of Murphy. Patrolman Charles H. Long was the investigating officer. (Scout Photo)

Scout Welcomes New Andrews Correspondent

Mrs. Edgar Wood Jr. (Eva) is the Scout's new Andrews correspondent.

Mrs. Wood, replacing former correspondent Mrs. Joe Sur-savage (Ruth), is an attractive young housewife and a relative new-comer to Andrews where she has already made many friends.

She is a graduate of the Woman's College of the University of North Carolina and received her Master's Degree in Public Health Education from the University of North Carolina.

For the past four years she was with the Alamance County Health Department in Burlington, and since her marriage to Mr. Wood in October, has made her home in Andrews and enjoys the life of a "full-time housekeeper".

Mrs. Wood said she is interested in hearing any news of Andrews happenings and can be contacted at home, telephone 158, and would like to be called especially on Friday and Monday afternoons.

Lockaby Named Dairyman of Month

L. F. Lockaby of Harshaw Rd. has been selected Dairyman of the Month for March by the Farmer's Federation News, Bob Beard, editor, said today.

A story and picture of Mr. Lockaby will be featured in The Farmer's Federation News in March, Beard said.

In the same issue of the magazine, L. M. Gilbertson of Brasstown will be featured as Poultryman of the Month.

Home Ec Students Raise \$25 for Polio

The Murphy Home Economics students, under the direction of Mrs. Dollie Smart, raised \$25.00 for the Polio drive.

They made candy to sell and also auctioned a three layer coconut cake.

On Friday, the lucky number was drawn and Mrs. Mattie Baker was the winner of the cake. One dollar went to Miss Modean Arrowwood for selling the most chances, her sales totaled to \$5.45

Savage Says Hopes 250 Pints Be Collected By Bloodmobile Fri. 13

Ill-omened Friday the 13th will mean good luck for local hospitals, for our Armed Forces and for National Defense if Murphy residents heed the call for blood.

The Red Cross Bloodmobile will be in Murphy Friday, Feb. 13, at the First Baptist Church from noon until 6 p. m.

Local Bloodmobile chairman, John Savage, said he hoped 250 pints of blood can be collected here on the day of the Bloodmobile visit.

Harry Bishop, head recruiter, announced his helpers who are: Dr. W. A. Hoover, Charles Johnson, Mrs. Hugh Howard, Mrs. Charles Johnson, Mrs. Dale Lee, Mary Lou Ferguson, Mrs. Cloe Moore, Alden Coward, Hugh Howard, Eloise Davis, Mrs. John Savage, Velma Umphres, Hugh Penland, Faye Boling, Mrs. Bill Costello.

Also Arnold Beerkens, Salo Horowitz, Mrs. R. H. Foard, Gerald Mauney, Francis Bourne Jr., Irvin Greene, Glenn Patton, Argil Bowman, Richard Howell, H. C. Forrester and Mrs. Paul Paris. Mrs. Paris is of Blairsville, Ga.

Fred O. Bates Dies After Brief Illness

Fred O. Bates, 65, of Murphy, died about 10 p. m. Monday in a local hospital following a brief illness.

He was a native and lifelong resident of Cherokee County, the son of the late T. N. Bates former Cherokee County sheriff, and Mrs. Eliza Crain Bates, members of prominent families.

He had served as Justice of the Peace for more than 20 years, and was known by all of his friends as Judge Bates. He had also served as U. S. Commissioner in Murphy for a number of years.

Surviving are the widow, Mrs. Bertha Lovingood Bates; one son, First Lieut. Fred O. Bates, Jr., with the Finance Department of

1952 Truck, Taxi In Collision Early Friday; Long Investigates

Robert Turner, 17, is still unconscious at a Murphy hospital after being thrown 30 feet in a car-truck collision Friday morning at 6:30.

Elmer Laney, a passenger in the car, is also in a local hospital being treated for a broken leg and slight lacerations of the face.

Investigating officer, Patrolman Charles H. Long, reported the accident occurred on U. S. Highway 64, about three quarters of a mile West of Murphy, about 100 yards West of Jack Crawford's home.

Long said Crawford's 1952 Studebaker truck was being pushed west on the highway by J. N., Clyde and Robert Turner, ages 27, 14, and 17, respectively. The boys were starting out on a paper route and the truck's battery being dead, they were attempting to start the truck by pushing it.

The boys said they used a flashlight to wave approaching cars by, Long said, although he said the passengers in the colliding taxi, a 1948 Ford, reported seeing no light.

Turner was taken to the hospital and has remained unconscious. The attending physician said he is "holding his own, and shows slight improvement", although he is still being fed through a tube and is still unconscious.

Long reported that the taxi, after the point of impact, continued 43 feet down the center of the highway, coming to rest with the front on the center line and the back off the road, blocking the left lane of traffic.

Long, who said he arrived 15 minutes after the accident occurred, said he had found no trace of the reported "oncoming car".

Carringer's brother, Ralph, was also a passenger in the car, although neither of the Carringers was treated for injuries.

Long said his investigation is not complete as he has been in superior court in Yancey County this week, and no charges have been made.

250 Gallon Still Cut On Appalachia Lake

Cherokee County will be 100 gallons short of moonshine per day after still-cutting county and state officers destroyed a 250 gallon illicit still on Appalachia Lake recently.

The copper still was housed under a lean-to of poles covered with tarpaper, Cherokee County Sheriff Frank Crawford, leader of the raid, said.

Other raiding officers were chief deputy Buren Grant, Luke Carver, Andrews deputy, and Patrolman L. H. Baker, also of Andrews.

No arrests were made and no whisky was captured but 280 gallons of mash was destroyed at the yet warm still.

The distillery was located between Hiwassee and Appalachia Dams.

The still, apparently two months old, could run 100 gallons of whisky a day the sheriff said.

The officers hauled the still to Murphy and it will be sold by the county as scrap at junk price.

Tom McCombs Dies In Murphy Hosp.

Tom McCombs, 70, (Negro), died in a Murphy hospital at 4 p. m. Tuesday after a brief illness.

Funeral services will be held Friday at 2 p. m. in Mt. Zion Baptist Church, with the Rev. J. E. McDonald officiating. Burial will be in the church cemetery with Irvie Funeral Home in charge.

He is survived by one daughter, Mrs. Mildred Brown of Cincinnati, Ohio, and one brother, Zed, of Murphy.

Kilpatrick To Preach

Evangelist Howard Kilpatrick will speak on "Why A Christian Should Not Accept the New Bible" at a special service at the Court-house in Murphy Sunday, Feb. 8. The service will begin at 2:30 p. m. and will include special singing. Everyone is invited.

HEED THE CALL; VISIT THE BLOODMOBILE FRIDAY 13th