



APPEAL MADE TO SUPREME COURT

Case of Presbyterian Assembly Grounds Will be Heard This Week.

Asheville, Dec. 8.—The Mountain Retreat Association, owning the assembly grounds of the Southern Presbyterian Church, at Montreat, has taken appeal to the Supreme Court of North Carolina from the decision of the Buncombe county superior court, dissolving several weeks ago the temporary restraining order against the Mount Mitchell Development Company, which is planning a scenic highway running through the assembly grounds.

By the dissolution of the restraining order the right of the Mount Mitchell Development Company to construct its highway through the assembly grounds taking in several thousand acres is admitted.

The Presbyterians claim that they selected Montreat as the foot of the Black Mountains and under the shadow of Mount Mitchell, highest peak east of the Rockies, because of the advantages of being away from any public highway or settlement. The construction of the road through the grounds makes it practically impossible for the church to establish the privacy sought and to regulate the observance of Sunday, it is contended by the Mountain Retreat Association.

Following the dissolution of the restraining order the Mount Mitchell Development Company began its plans for the condemnation of the property over which the highway is staked off. The Presbyterians have taken the fight to the Supreme Court, where a hearing is scheduled to be had during the present week.

Judge Thomas A. Jones and Mark W. Brown representing the Mountain Retreat Association and Julius C. Martin, representing the Mount Mitchell Development Company, went to Raleigh yesterday to take up the fight in the Supreme Court.

Considerable interest has been manifested in the matter over the entire South. Since its establishment the assembly grounds and its institutions of training, have attracted thousands of persons annually to Montreat. The feeling existing among leading Presbyterians is that the construction of the road will defeat the very purpose of the assembly grounds, for which the Southern Presbyterian church has spent large sums in developing.

The Mount Mitchell Development Company, on the other hand declares that there is no other practical approach to Mount Mitchell, and that the construction of a scenic highway to that peak is a project which warrants any condemnation proceedings of any property.

In the superior court trial here it was also pointed out by the Presbyterians that the road would impair and damage their watershed, further up on the slopes of the Black Mountains.

"TUMULTY WILSON," ET AL.
I will send postpaid to any address: "President Wilson as I Knew Him," by Joseph P. Tumulty, for \$4.75, (publisher's price \$5.00); Wells' "Outlines of History," for \$4.75, (publisher's price \$5.00); "Mirrors of Washington," \$2.25, (publisher's price \$2.50); Kipling's "Inclusive Verse," (All of his poems), cloth \$4.75, (publisher's price \$5); "Home Book of Verse" (Best poems from 1550 to 1918), most comprehensive book of poetry published, large volume, thin paper, cloth \$11.50, (publisher's price \$12.50). I will supply you, postpaid, any book wanted at less than publisher's price. Quick and satisfactory service guaranteed. Send me a list of your "Bow-Wants." J. T. Norsworthy, The Book Man, Gastonia, N. C. 7-21

MUTT AND JEFF

JEFF SHOULDN'T HAVE SPRUNG THIS ONE UNTIL SATURDAY.

By BUD FISHER



'SMATTER POP?

POP'S PERMANENT PATCH.

By C. M. PAINE



CHARLOTTE WILL MOVE TO MONROE

Hosts of Local People Propose Going to Great Marshal Foch Friday.

Officers and members of Hornets Nest Legion post No. 9 have received the official invitation sent through Major W. C. Heath, chairman of the general committee at Monroe, inviting them to greet Marshal Foch at his only stop in North Carolina—which will be at Monroe from 8 to 8:45 o'clock Friday night. The invitation was extended directly through Major B. H. Hinde, commander of Melville Does Legion post.

E. W. Long, general passenger agent of the Seaboard Air Line railway here, has announced the Seaboard will provide special facilities for Charlotte people who wish to make the trip to Monroe to greet Marshal Foch. The regular Seaboard train that leaves here at 5 o'clock for Monroe will be equipped with enough special cars to accommodate a big crowd of people. It will reach Monroe considerably ahead of General Foch's train, which is to come in over

the Seaboard from South Carolina points at 8 o'clock. The train of Marshal Foch will remain at Monroe 45 minutes.

On the return for Charlotte Friday night passengers will ride on the regular Seaboard train that leaves Monroe at 10:35 o'clock and reaches Charlotte about an hour later. Because of the convenience of the railroad schedule there is expected to be a large number of people making the trip from Charlotte, besides the members of the legion post here.

Governor Morrison and his staff have been put down as a certainty for the occasion and will be on hand to pay the official greetings of the State to the distinguished guest.

It is further definitely announced that Brigadier General Bowley of Camp Bragg will be there with the color-guard of the Fifth and Seventh regiments of Artillery and with a battery from each of these regiments. Marshal Foch will decorate the colors of these two regiments with the fourragere of the Croix de Guerre, which is a French designation for distinguished service in action. The ceremony of decorating the colors will be a very picturesque and interesting.

Letters have been sent from the Melville Does post of the American legion at Monroe to all parts of the State to

heads of local posts inviting them to Monroe to greet the former generalissimo of the Allied armies.

For the occasion of the marshal's visit Monroe is to be properly decorated and be flagged. It is likely the visitor and his entourage will probably be driven to the public square, where the Marshal will make a brief address. The square is only a little way from the Seaboard station at Monroe. These details are not definitely announced yet, but they have been tentatively agreed upon and announcement as to their definiteness is expected Thursday.

CLASS C DIRECTORS OF RESERVE BANKS

Washington, Dec. 8.—Election of class C directors of the twelve Federal reserve banks for the term from January 1, 1922 to December 31, 1924 was announced yesterday by the Federal Reserve Board.

These directors, who are required by law to be persons not connected with the banks, include: Richmond, Frederic A. DeLano, re-elected; Atlanta, Lindsey Hopkins.

The Federal Reserve Board at the same time announced the re-appointment of all chairmen and Federal reserve agents of the twelve banks for the year 1922.

YADKIN CASE TO BE HEARD AGAIN

Supreme Court Wants Further Facts; No Decision Merits.

Raleigh, Dec. 8.—Remanding the Yadkin county case involving the board of education's mandamus requiring the county commissioners to levy a tax in excess of 30 cents in order to meet the requirement for a six months term, the Supreme court yesterday afternoon reversed the findings of Judge Lane.

On first blush it would appear that the commissioners won, but nobody did. The board of education lost, but

the board of commissioners did not win. The court does not touch the external question.

It is well. Should the court have decided the issue in favor of the Yadkin commissioners, 90 counties would now have a comeback on the ground that an unlawful rate had been imposed on them. Such chaos as this never would have been dreamed. The case goes back for facts to show that a levy in excess of 30 cents is necessary. The court does not see that necessity. It must be shown. It sends the Yadkin case back for additional findings. If the excess levy is necessary, that is another question for the court and the issue cannot be met at this session of the assembly for there is no case before the court.

Other opinions filed by the court were: Elam v. Realty and Ins. Co., Forsyth, reversed.

Duffy v. Phipps, Guilford, no error.

State v. Overcash, Cabarrus, no error.

State v. Blackwelder, Cabarrus, no error.

State v. Johnson, Wilkes, new trial.

Board of Education v. Board of Commissioners, Yadkin, reversed and remanded.

Alexander v. Lawrence, Rutherford, affirmed.

Alexander v. Lawrence, Rutherford, affirmed.

Church v. Vaughn, Hemphill, and Watauga, reversed.

Harrold v. Roads Comm., Wilkes, error.

Maney v. Greenwood, Yancey, no error.

Perry v. Norton, Henderson, no error.

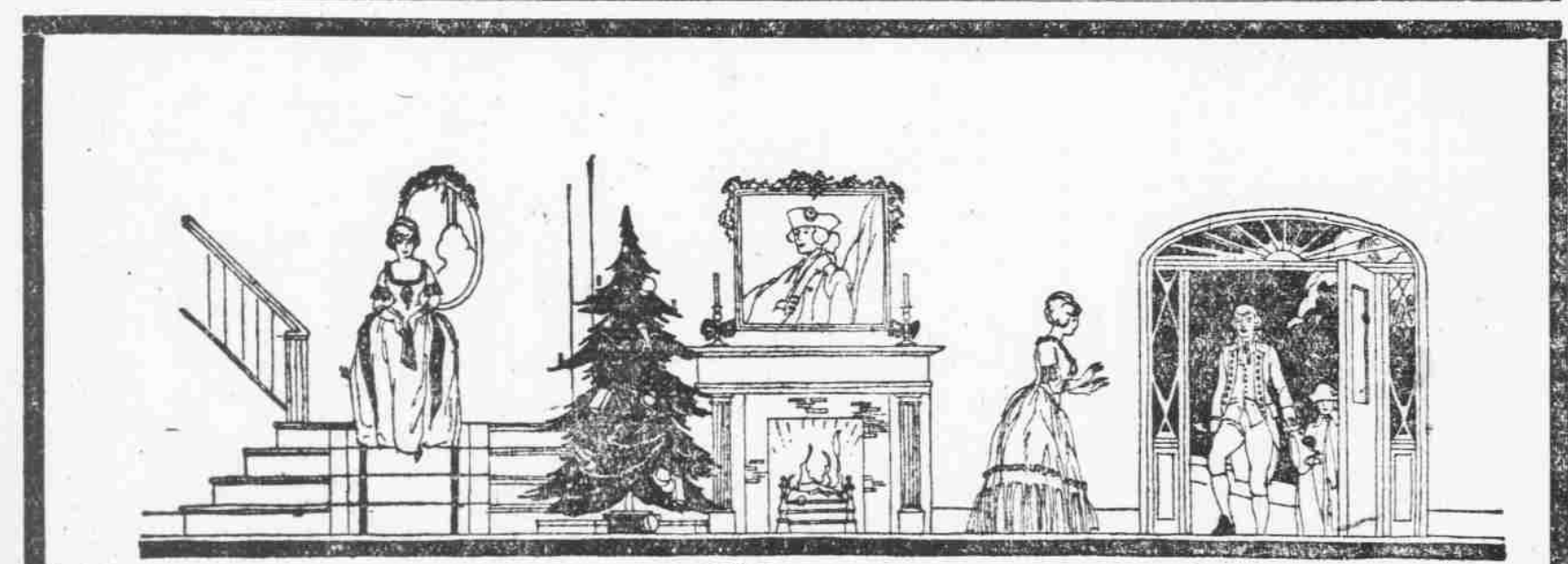
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It's a "HOME COMFORT" Christmas

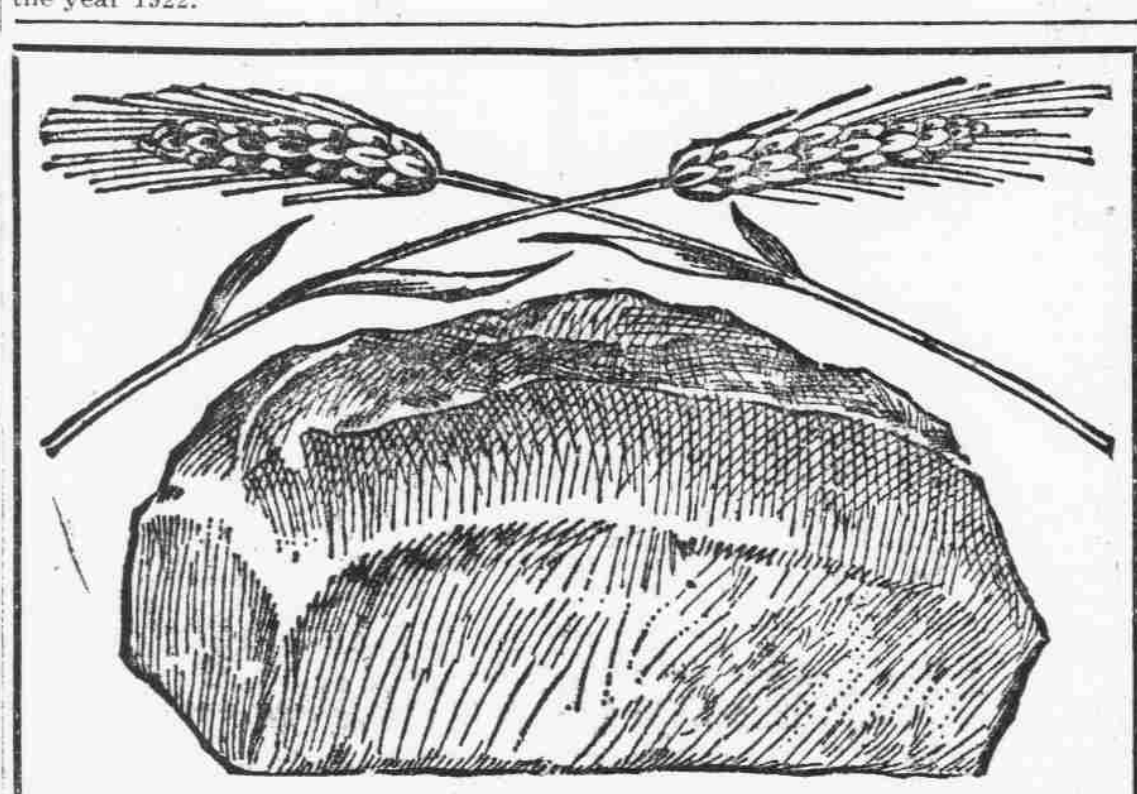
This has been a great year in our economical history because it has brought about lowered prices. At the same time, we have passed through a period of unrest and uncertainty and people have learned that their greatest source of comfort and security is in their homes.

Everywhere there's the same widespread movement to own your own home, to make your home more attractive and convenient, to lessen the labor of the housewife.

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