A YEAR IN ADVANCE IN THE COUNTY

(By Den Tompkins)

orth Carolina, officially dry, by

of the people, since damacy 4.

is no ionger a dry State, but has

back to local option, the status

1 1908, by vote of the General

bly Ary county whose voters

comested that AbC honor stores.

dogen can tra sport from one

he greatest Remoustrations of

Isplayed when the liquor control

soffered that were voted down,

the only after it had been sub-

, She asked, when she sent the

bery act has been introduced in

The Horse and has gone to

vate. The Old Age Assistance

loise. But there are other mat

mear the ides of March. One is

mater of amendments to the

al Session, before Christmas.

anderesting feature of the Gener

rtion to the effect that one ses-

convened in Pasquotank county;

eeting in Williamsburg.

CAROLINA, THURSDAY, PERL

\$2.00 A YEAR IN ADVANCE OUTSIDE THE COUNT

orth Carolina Legally Wet For First Time In Thirty Years Nearly

TODAY and TOMORROW

CONSTITUTION . . . its origin

The framers of the Constitution included many of the ablest minds in America. To read James Madison's to mother as much as one day-by-day journal of the debates in the convention is to be impressed by hen paid and the wine and beer the breadth of knowledge of world all by weight are left for history and the depth of insight into the places where they are now the causes of the down fall of many ex So North Carolina is no longer periments in government which were gither officially or actually. One displayed by the delegates.

The government which was set up or that the present session of by the Constitution was a novel exheneral A sembly has seen was periment. The best features of other governmental systems were adopted as being considered in the Sen- or adapted. No other government then he probabilition data put up a fight; existing in the world has remained gery one of them knew, as well unchanged in form or basic principle. hows now, that not a single Ours is the only one which has sury gold be changed either way, by vived.

percharaking. The two amend- COURT its purpose One feature of the American conare considered of the greatest titution is unique. That is the Sust were the one to make the bill preme Court. No other nation had ever set up such a tribuual. Elsewhere the a referendum of the people the king or other executive was the galable State, and the one offer- final arbiter of justice. The purpose Mrs. McKee, which would have of the Supreme Court was to take the all alcoholic beverages above Power of dispensing justice out of the om the cares and other places of rands of either the Legislative or the and placed there in the liquor Executive branch.

In the debates on how the justices daent up, that when the Sena- should be appointed Dr. Benjamin roted it down, they "don't holler Franklin called attention to the old Scottish system of having judges nonmain matters that the Assem- insted by the lawyers. They would is for consideration are practi- always name the ablest lawyers he ased of. The liquor bill is said, because they would thus be rehe. The revenue and appropria- tired from competition and the other bils are in the Senate. The lawyers could get their clients!

So specific authority to interpret the is. The tree school books has Constitution was conferred upon the Supreme Court. The point was raised n the con vention but passed over passed the Senate and is in because, as Elbridge Cerry of Massachusetts pointed out, the Court's excat are still demanding consider- position of the laws involved a power and which will probably hold of deciding on their constitutionality sembly in Paleign until some- LAWS highest

"This Constitution and the laws which shall be made in plrsuance thereof . . . shall be the supreme law d Security Act, passed by the of the land." So reads Article 6 of the the Constitution. That sets up is ably of 1937 is the fact that the Constitution itself as the highest as day the Assembly will meet | .rd superior law, in the light of which lether yot Raleigh. Representall other or inferior laws must be White, of Chowan, introduced a wewed.

When any court finds that any law be heal in the town of Edenton. enacted by any legislative body, Conresolution quickly passed both gress or a state legislature, does not is, but it brought forth a deal conform to the provisions loft the discussion of the history of Constitution, it is not only the right Marghina. The resolution referr but the duty of the court to declare Edenton as "the first capital of the inferior law invalid. I find many a Carolina. " Libby Ward, whose persons who do not understand that is in Newbern, promptly offered clementary principle of law and jusand ment to change the reading tice, but who think that somehow the one of the that capitals" and the Supreme Court has arrogated to itself such was on. It seems that the powers which it has no right to asthe the General Assembly ever sume.

What makes the Constitution the I had a way of moving itself supreme law is the fact that it is the damp and down the North Caro- only law which has been adopted by Mst. However, Edenton is con- the people as a whole. The will of the to be one of the first capitals people is supreme. And the Constitu-State, Here Tryon House was tion contains a prescription of the and here much of the history means whereby the people can make State and Nation was written. their will known and effective.

plan for the 1937 General Assem- OPINIONS hold a meeting in Edenton, is Another point on which I have with the idea of the Governor found many of my friends somewhat Merise North Carolina, and the at sea is how questions of the con bubly will go down to that town stitutionality of a law get before the One day, just to call attention to Supreme Court." Why can't the Court vast store of history that lies to just give an opinion to Congress bebe east of Raleigh. The Virginia 'ore a law is passed, as to whether it

hature has set a similar precedent is constitutional or not?" they ask. The answer is that the Supreme bill of great interest to the teach- Court is a court and not a legislative of the State was introduced by body. It has no power except to pass insentative Sentelle, of Brunswick on specific cases brought before it in a hative of Haywood, on last the regular course of legal procedure. tiday. It would set up within the It nobody challenges the constitutionale a plan for retirement of teach- ality of a law the Supreme Court has the lense engaged in that work nothing to say about it, though it may, The idea is similar to in fact, be unconstitutional. Its judgprovided in the Social Security ments are only on the particular cases or people who work for private brought before it.

Then, however, the Court must say whether the statute which is chalthe put in o the retirement fund, lengt is a valid law or not. If it conthe free select books bill, as pass- forms to the supreme law it is good. manimonsly by the House, pro- if it does not so conform it is no law tor tree text books for all at all and nobody is bound to obey it. Marshall shool would be state, up to the High JUDGES Marshall

thou grades. The high school books The Supreme Court has established supplementary readers will be itself in 150 years as the balance provided on the present rental basis, wheel of our system of government provided in the act of 1935. The because of the character of the men the last the support of the Admin- who have sat as judges on its bench. tration. In fact, Governor Hoey It has rarely been the case, if ever, The such a measure in his cam- that a Supreme Court justice has let that a supreme course on his camthat a supreme course consideration and recommended it political or partisan consideration

(Phuse Ture to Page 2)

President **Studies**

Washington, February 24-Passage of the Supreme Court Retirement Bill will make only a slight change in the status of the Justices. Under the present law any Justice of the Supreme Court may resign at 70 on a pension of full pay, \$20,000 a year; for life,

Justice Holmes, who resigned at 88 and lived four years longer, is the only one who has taken advantage of this law in recent years-and he refused to take his pension. One reason why others have not done so, is that their work on the Bench is so integra! a part of their lives, that they do not like to give it up as long as they are still able to perform their judicial

Another, though probably a less compelling reason why Supreme Cour. justices retain their seats when they could resign, is that their pensions would be subject to income tax, which their salaries are not.

Always a Member

The retirement permits any Justice to retire from active service on the Pench at or after 70, but he is still member of the Court, as a retired officer of the Army, and could be called upon for special duty at any time. His life tenure is not impaired by the bill nor his salary reduced in

The original purpose of the bill, which has been considered by previous Congresses, was to extend to the Supreme Court the same retirement privilege now enjoyed by judges in the lower Federal Courts. The purpose back of the present revival of the plan, however, is to make it easier and more attractive to some of the older Justices to retire now and so ereate vacancies in the Court which the President could fill with younger

Piood-Dust-Beclamation

Next to the Supreme Court issue, Washington's interest is centering upon the extensive project of flood control, desert reclamation and soil conservation, which are now taking concrete form, The reclamation proj eet, interest in which has been stimulated by the recent recurrence of dust storms in Oklahoma, outlines a longrange regional project taking in al or parts of ten states.

The Federal Government, the state evernments and local authorities in bese ten states would cooperate to out several million acres back into grass and develop methods protecting settlers on the tillable lands of the region and providing inancial assistance to such as might

Relief of suffers from the Ohio-Mississippi floods comes ahead of proceis for the prevention of future poods. Due to the fact that so much of the \$790,000,000 appropriated for the WPA and other relief agencies relief work in those river valleys, Relief Administrator Harry Hopkins has asked Congress for another \$200, 100,000, which he will doubtless get.

"Disaster Corporation" Loans Congress also passed and the Presilent has approved a bill creating the Disaster Corporation," authorized to lend up to 20 million dollars to flood sufferers, who cannot obtain sufficient eredit from ordinary channels for remilding their homes, shops, farms and factories. The Reconstruction Finance Corporation is to supply the capital.

The Administration's agricultural proposals, as now shaped up, include five mjor projects in the interest of griculture. One is continuance of the soil conservation subsidy plan, estimated to distribute an annual benefit of 500 million dollars with larger subsidies in times of big crops.

Plans are also about matured on new legislation for stronger voluntary and compulsory production control than was called for in the original

A third proposal is an enlarged crop against the hazards of weather and insects, with the cost of insurance borne partly by general taxation.

Fourth is an entirely new project for each and credit advances to individual tenant farmers who want to work their way from tenancy to farm cwnership. The fifth is a broad system of price-fixing loans on major crops, coupled with government-financed storage of surplus commodi-

Those are the elements of the completely integrated agricultural program which was worked out and unanimously approved at the conferonce of fifty farm leaders with the on processors of agricultural com-Secretary of Agriculture and other Administration and Congressional

Elliott

Jim Griffin, who with his son Jesse Griffin was tried in Superior Court, here last week, was found guilty of murder in the second degree, and sentenced by Judge Donald F. Phillips, to from 12 to 15 years at hard labor. The son was found not guilty. The two men were alleged to have beaten to death, Carl Elliott on the night of last July 3, at Whittier, All three men were residents of Whittier.

The jury was composed of W. A. Jackson, W. H. McCall, J. R. Cotter, John Shepherd, Morgan Dillard, R. D. Phillips, Ben Sloan, Carl Keever, T. L. King, Chas. Norris, D. B. Alexander, and M. D. Bradley.

QUALLA.

(By Mrs. J. K. Terrell) The text from which Rev. W. A. Rollins, of Waynesville, preached a plendid sermon, at the Qualla Methodist church, Sunday atternoon, was "I am come that they might have life ions at the County Home, transportaand that they might have it more abundantly."

Among the visitors present were Mr. and Mrs. Glenn Staleup and Mrs. Robert Mc lan, of Whittier; Mr. and Pelow, we give the report in full: Mrs. L. A. Hipps and Mrs. Cagle and Miss Sallie Cagle, of Olivet; and several Indians, from Echota.

The Qualla Home Demonstration Club met with Mrs. Mary Kinsland, Tuesday, in a very interesting session, The subjects for discussion were salads and clothing. After the meeting delicious refreshments were served. Those present were Mrs. Mamle Sue Evans, Demonstrator, Mrs. Frank Hughes, Mrs. Eunice Kinsland, Mrs Lucy Shelton, Mrs. J. E. Battle, Mrs. Rubye Battle, Mrs. J. L. Hvatt and Mrs. Hasting Springer.

Mr. C. P. Shelton and family went to Whittier, Sunday, to visit Mr. J E Rogers and Mrs. Fave Varner and

Mr. Chas. Edwards of Whiteside Cove. Mr. L. W. Bumgarner and family of Sylva, and Mr. and Mrs. H. G Martin visited Mr. and Mrs. Alton Edwards Sunday.

Mr. Frank Owen and family were evests at Mr. H. G. Ferguson's, Sun-

Charles Daniels Wednesday

C. H. Daniels, a former resident of this county, died at the home of his daughter, Mrs. Steve Wilbur, in Augusta, Georgia, Monday night, after Home and find it being kept in a several years of ill health.

that will be needed for in.mediate Boston, Massachusetts, lived in this immates. We find the Home is now county. That means, of course that county for a number of years. He married Miss Florence Enloe, in 1900. Mrs. Daniels died about twenty years ogo. Besides Mrs. Wilbur, Mr. Daniels is survived by another daughter, Mrs. Jack Anderson, of Spartanburg, purchased as soon as possible. S. C., and by a son, Charles Augustus Daniels, of Augusta.

Funeral services, conducted by Rev. M. Q. Tuttle, pastor of the Methodist church here, and interment, were held fices in the Cohrt House and, as far at the Webster cemetery, yesterday afternoon,

DUCKETT ACCEPTS POSITION AT PAPERBOARD PLANT HERI

The position of mechanical engineer left vacant by the death of George W. Cront, has been filled by the acceptance of the position by E.J. Duckett, of Cullowhee. Mr. Duckett has had supervision of the hydro-electric steam and water system plants, as well as the upkeep of the buildings and grounds of Western Carolina Teachers College, for several years. He has purchased a house from Dr. insurance plan, to protect farmers Grover Wilkes, in west Sylva, and is adding some improvements preparaory to coming here to live, the first of Mrs. T. J. Young, at Glenville.

leaders here this month. No Processing Tax

Court, which held that the processing tax for the benefit of farmers was an improper use of the government's taxno special taxes, taking the necessary funds from the general revenue instead of putting the whole burden up-

(Please Turn To Page 2)

Griffin Gets 12 Mrs. Caleb Ridley **Atlanta**

Mrs. Lula Wilson Ridley widow of Rev. Caleb A. Ridley, died in Atlanta ast Sunday, of double pneumonia, after an illness of a few days. Funeral and interment were in Atlanta, last Monday.

Mrs. Ridley was a ative of Glenville, leaving here after her marriage to Dr. Ridley. Some years ago they built a home in Sylva and lived here for a short time.

Mrs. Ridley is survived by her mother, Mrs. Mararet Wilson, of Seneca, S. C., two daughters, Mrs. Annie Laurie Greiner, of Chicago, and Mrs. Flora Johnson, of Atlanta, and a son, Leo Ridley, of New York.

GRAND JURY REPORT FOR FEBRUARY TERM OF COURT

The Grand Jury, in its report to the Court, here, last week, made recommendations relative to condition of the school children of the ounty, and reported on matters pertaining to other affairs of the county.

"To his Honor, F. Donald Phillips, Judge Presiding:

The Grand Jury at this Feb. Term, 1937 of the Superior Court for Jackson County respectfully submits the tollowing report!

being overloaded. We recommend that all new busses be of steel bodies.

bad winter weather. We recommend mending the position taken by Senafall months.

We have inspected the County jail ster from Madison. and and it in an excellent, clean and furnished with plenty of good, wholeome food.

Mr. Daniels, who was a native of good, wholesome food turnished the instead of by the vote of the whole recommend that a heating plant be the Home in need of a new washing machine and recommend that one be

We have inspected the Court House and find it being kept in a clean and sanitary condition.

an efficient manner.

Grand Jury that some drivers of school busses have been driving too a day. fast. We recommend that the proper authorities investigate this and that publicans claim of the majority party any such drivers be discharged im-

Respectfully submitted, Joe W. Davis, Foreman."

MRS. LOUVADA WILSON DIES FOLLOWING LONG ILLNESS

Mrs. Louvada Wilson, 74, widow of he late Thomas A. Wilson, died February 14, at the home of her daughter and a muddle of county affairs prompt

She was loved by all who knew her. She devoted most of her life to helping others.

The new farm program eliminates Hamburg Baptist Church, with Rev. county commissioners have read

diana, J. E. Wilson of Brevard, N. C. quate facilities for schools, when they and A. L. Wilson of San Francisco, could have splendid school buildings. California, thirty-four grandchildren, at small cost to the county. Hence. . . . thirty-eight great grand children, and they argue, it is necessary, for the four great, great grand children,

Madison Heated Cebate

(By Dan Tompkins)

Raleigh, Feb. 24.-Madison county, as usual, has attracted a great deal of attention in the General Assembly. Many people wonder what it is all about. Folks down east are amazed at such display of partisanship as crops up every two years when the embattled politicians of Madison bring their fight to Rakigh.

In 1931, Napoleon Boneparte Me-Devitt now postmaster at Marshall, and a Democrat, was serving his seeond term in the General Assembly. He secured the passage of legislation setting up certain boards in the county, and the chairmen of these boards constituted another board, which took over the functions of electing the county auditor, the Judge and solicifor of the Recorder's Court, and other matters that usually lie within the province of the county commis

In 1933 Madison sent Herschal Sprinkle, Marshall Republican to the General Assembly. In 1935 he was returned. Both sessions he tried faithfully and hard to get the McDevitt acts repealed, but with no success. The fight has been getting warmer each session.

This year young Jimmy Bailey, law partner of Guy Roberts, and a Republican represents Madison. He and his delegation, consisting of some 150 Republicans appeared before the Committee of Education, Friday, and at-We recommend that the authorities tempted to get that committee to appurchase additional school busses, in point "any five Democrats except the order that no bus will be overloaded, ones nominated in the Democratic We find that all school busses are now Primary" as a board of education for the county. The attempt failed.

On the Monday night previous, We have inspected the rural road Bailey had introduced and attempted conditions in the County and find to secure the passage under suspenthem in fair condition considering the sion of the rules, a resolution comthat the supervisor of highways be for J. W. Bailey, on President Roosefurnished men and equipment neces-welt's proposal on liberalizing the Susary to gravel as many of these roads preme Court. Practically every Demas possible during the summer and ocrat in the House, and all of the 120 members except 8 are Democrats, took We have visited the prison camp the Resolution as an attempt on the and find it in a sandary condition part of the minority party, through throughout. The immates are well the young Madisonian, to put the cared for and furnished plenty of House in the position of either taking clothing. We find the kitchen at the a crack at the Senior Senator from camp being kept in an excellent, clean North Carolina, or at the President, and sanitary condition. The inmates And they didn't like it a bit. In fact are furnished with plenty of good, they were mad, and ready to adminster a sound spanking to the young-

A few days later a bill was introsaitary condition. The inmates are duced in the House, by Giles of Mc-Dowell, McDowell of Polk, and Tatem of Tyrell, to add four Democrats to We have inspected the County the present board of Madison commissioners, and hereafter to elect the good, clean, condition, and plenty of board of commissioners by districts being heated by heating stoves. We the Democrats would immediately take over the affairs of Madison and provided as soon as possible. We find that they would continue to control the Board of Commissioners after-

The Madison delegation, wearing Madison-Self Government" badges a rived in town. After their defeat before the Committee on Education, We have inspected the various of they moved over to Counties, Cities, and Towns, where another defeat aas we are able to determine, find the waited them, for that committee voted records up to date and being kept in to report favorably the bill to change Madison from Republican to Demo-It has come to the attention of the cratic. The hearing was as hot a one as has been seen in Raleigh in many

> The contentions are this: The Rethe right of local self-government. They insist upon the right to manage own affairs in their own way, and state that until such right is returned to them Madison will become stronger and stronger in the Republican faith.

On the other hand, the Democrats state until the McDevitt legislation was enacted, the Republicans were in complete control, and that a mess ed the enactment of the 1931 laws. They stated before the committee. Friday, that the use of the court room in Marshall was denied the Demograts Funeral services were held in the of the conn't, that the remaining one of the major grounds upon which C. Conner, conducting the sites. Bur- co-operate with State and Federal AAA was invalidated by the Supreme iel was in the cemetery at Glenville. governmental agencies, and that as a Mrs. Wilson is survived by four consequence, the people of the county daughters and two sons, who are, Mrs. have lost large sums of money that T. J. Young, Mrs. Ellen Barnes both would have come to them by WPA ing power. The new plan would impose of Glenville, Mrs. W. Hooper of Pied. and other government projects, and mont, S. C., Mrs. Mary Power of In- that the children are without ade-

(Please Tern To Page 3)

(Ploase Turn To Pess 1)

by the oregen-porations. Five per

"Dithe salary of every teacher