

Court Order Halts Beer Election

County Board Is Enjoined From Holding Saturday Vote: Order Signed By Judge Sink

FRANK MOODY, HEAD OF BANK BOARD, DIES

Rites For Well Known Moody Farm Owner Held Tuesday

Charles Frank Moody, 82, well known Macon County business man and farmer, and former chairman of the board of commissioners, died at his home in the Iola community Sunday morning. He had been ill for several weeks.

Mr. Moody, a native of Haywood county, was the son of the late Julius J. and Mary Evelyn Boyd Moody.

After coming to Macon county in 1914, he purchased the Norman Barnard farm in the Iola valley, which he developed and operated as the Moody tourist home, a popular summer resort, for a number of years.

He was elected a director of the Bank of Franklin in 1928 and had been on the board continuously since then, having served as chairman during recent years. In 1922 he helped to form the Macon County Building and Loan association.

Despite his many business enterprises, which included the operation of several saw mills and mica mines, he found time to serve several terms as chairman of the board of county commissioners and also as county tax assessor for some time.

Funeral services were held at the home Tuesday afternoon at 2:30 o'clock, with the Rev. Charles E. Parker, Mr. Moody's pastor, the Rev. R. P. McCracken, of Waynesville, and the Rev. Hoyt Evans conducting the service. Burial followed in the Franklin cemetery.

Pallbearers were Paul, Arvil, and Will Swafford, Weldon Fouts, Loyd Burrell, W. T. Tipsett, Will Childers, and Verlon Poindexter.

Directors of the Bank of Franklin—M. L. Dowdle, Henry Cabe, Fred Arnold, Grover Jamison, A. Slagle, and Richard S. Jones served as honorary pallbearers.

Surviving are his widow; four daughters, Miss May Beryl Moody and Mrs. Lyman Higdon, both of Franklin, Mrs. N. W. Garrett of Waynesville, and Miss Nora Moody, of Franklin, now at Peabody college, Nashville, Tenn.; two sons, Jack Moody, of Tacoma, Wash., and Wade Moody, of Knoxville, Tenn.

—Continued on Page Six

The Fontana Dam swimming pool, projected for 1948, will not be completed in time for use this season.

Do You Remember ... ?
(Looking backward through the files of The Press)

50 YEARS AGO THIS WEEK
Some evil disposed person has fired three pistol balls through the glass of one of the front windows of John C. Wright's house now unoccupied.

Boney Ridley was in town Saturday walking as though he was trying to track a water moccasin. He was supercharged with wig-wag drops.

Dr. H. S. Lucas and D. C. Cunningham made a trip to Almond and returned the latter part of last week on an inspection tour of the route between Franklin and Almond, with a view to its adaptability for building a railroad or first class pike road. We learn that they were highly pleased with the route.

25 YEARS AGO
January 28th George B. ... went to Raleigh with law students to take the examination. The next morning Mr. Patton's name, along with several other men from Carolina, appeared in The Morning Herald, as having passed the bar examination, thus automatically making a member of the Bar association. Mr. Patton is a very enthusiastic law student and we are sure much success in the world.—Chapel Hill Item.



C. F. MOODY

THIS DISTRICT HAS NO SENATOR

But Special Election May Pick One Who'll Never Serve

Should an emergency cause Gov. Cherry to call a special session of the North Carolina general assembly on short notice, this senatorial district would have no representative in the upper chamber, inquiry discloses.

Furthermore, Macon County would be represented by a man who no longer lives in this county.

A third queer quirk in the situation is the fact that the voters in Macon, Cherokee, Clay, Graham, and Swain counties (which make up the thirty-third senatorial district) probably will vote soon in a special election to name a state senator who, may never serve.

The senate vacancy occurred Tuesday when Baxter C. Jones, of Bryson City, state senator from this district, took the oath of office as solicitor of the twentieth judicial district. When he qualified for the latter post, he automatically ceased to be state senator.

Macon's representative, Herbert A. McGlamery, who presumably will continue to hold that office until a successor is elected next fall and qualifies, now lives in Buncombe. Mr. McGlamery accepted a state post as probation officer shortly after the 1947 legislative session, and last spring moved his family to Asheville, where he maintains headquarters.

When a state senator dies or becomes disqualified, the law provides that the chairman of the board of elections in the county in which the senator lives (in this case, Swain county) shall notify the governor. It then becomes the duty of the governor, the law sets out, to call a special election in the senatorial district to name a successor to fill out the unexpired term. The presumption appears to be that the nominees would be chosen by the senatorial committees of the two parties.

Scout Honor Court Will Be Held Here Tonight At 7:30

A Smoky Mountain district Boy Scout court of honor will be held here tonight (Thursday), the first held in Franklin in about five months.

The ceremony will be conducted at the Franklin Methodist church, starting at 7:30.

Fulton Has Court Papers Dated Before Revolution

Robert Fulton, of the Sugar Fork community, has in his possession interesting old papers brought to Macon County by Mr. Fulton's grandparents, Robert and Nancy Bason Fulton, when they moved to Macon from Orange county in 1822.

Among them is "a vendue paper," dated November 24, 1774, nearly two years before the signing of the Declaration of Independence. In it, the prices of articles sold are given in the English pounds, shillings, and pence.

JOHN H. DALTON, 76, WELL KNOWN SURVEYOR, DIES

Colorful Figure Had Held County Post For 39 Years

John H. Dalton, long-time county surveyor and colorful figure, died Saturday night at his home in the West's Mill community, following a short illness. He was 76.

Born at the "Uncle Gum" Dalton place, on the head of Cowee Creek, January 16, 1872, the son of Mr. and Mrs. J. M. Dalton, Mr. Dalton had spent his life in this county and since early manhood he had been a leader in civic and political affairs in his community, and active throughout the county. He had served as county surveyor for 39 years.

In his early life, he taught school in this county, and during the 20's served as a road supervisor. He was known as a student of the early history of this county.

Funeral services were held at the Snow Hill Methodist church Monday afternoon at 2:30, with the Rev. D. P. Grant, pastor, the Rev. George Cloer, and the Rev. C. C. Welch conducting the service. Burial followed in the church cemetery.

The body lay in state at the church from 2 p. m. until time for the service. All Mr. Dalton's nine children were here for the funeral.

Pallbearers were Carroll Reynolds, John G. Murray, C. T. Dalton, Woodrow Queen, George Gibson, Weaver Holbrooks, Marshall Queen, and Sam Gibson, Jr., all nephews.

Honorary pallbearers: R. R. Rickman, Robert Sheffield, Will Holbrooks, Clyde N. West, Dock Clark, Jess Shuler, Albert Raby, Carr Bryson, J. E. Allen, Tom M. Rickman, J. C. Sorrells, James R. Parrish, Robert Gibson, Edd H. Parrish, R. D. West, James Brogdon, Dr. J. L. West, J. B. Elmore, Robert Rickman and E. O. Rickman.

Surviving are his widow, Mrs. Ada Gibson Dalton; six sons, Lon J. Dalton, of Franklin, Carl V. and Joel, both of Franklin, Route 3, Crawford and Roger, both of Gastonia, and Lyman Dalton, of Greenville, S. C.; three daughters, Mrs. Frank Holbrooks and Mrs. Ralph Shelton, both of West Asheville, and Mrs. Robert Morgan, of Franklin, Route 3; 12 grandchildren and three great-grandchildren; seven brothers, Grady and Will Dalton, both of Franklin, Route 3, Dock Dalton, of Highlands, Buel Dalton, of Franklin, Route 4, Ed Dalton, of Mooresville, and George and Manuel Dalton, both of Gastonia; and a sister, Mrs. Frank Queen, of Canton.

Highlands Plans Valentine Fete Saturday Night

A community Valentine carnival is planned for Saturday night at Helen's Barn, Highlands, for the benefit of the Highlands Community hospital. The carnival, set to open at 7 o'clock, will be given under the auspices of the Highlands Satalah club, a woman's organization, and the Highlands Rotary club. Benny McGlamery, of Franklin, will serve as auctioneer. (Details will be found on the Highlands page, page 7.)

Extra Edition
Because it was believed many persons might not learn of the restraining order halting Saturday's special election until they had needlessly traveled to the polls to vote, this Extra Edition of The Press is being issued. It is being mailed to every subscriber in the county, as a special service.

Because of the critical shortage of paper, this Extra Edition

4-H CONTEST IS ANNOUNCED

Scholarships First Prizes For Doing Job Better With Electricity

A 4-H club boy and a 4-H club girl in Southwestern North Carolina is going to win a \$100 college scholarship, each, between now and October 1.

These two first prizes will go to one boy and one girl in a five-county area for finding better ways to do things on the farm or in the home, by the application of electricity.

The contest was announced here this week by W. W. Sloan, agricultural agent for the Nantahala Power and Light company, and S. W. Mendenhall, Macon County farm agent. The prizes are offered by the power company, while the contest will be conducted by the Extension service, which is headed in this county by Mr. Mendenhall.

The counties included are Macon, Jackson, Swain, Cherokee, and Graham.

The contest in this region is being conducted in cooperation with the State Extension service and the Westinghouse Electric company, which is offering additional prizes.

The Westinghouse firm will give a gold medal to the winner.

—Continued on Page Six

Mrs. Welch Is Claimed By Death At Age Of 81

Mrs. Sallie C. Welch, 81, died Tuesday at the home of a daughter, Mrs. George Southards, in the Rose Creek section of Macon County.

She was the widow of Dr. J. L. (Fate) Welch and a member of the Rose Creek Baptist church.

Funeral services were held Wednesday morning at 11 o'clock at the Rose Creek Baptist church, with the Rev. C. C. Welch and the Rev. Arvil Swafford conducting the service. Burial followed in the church cemetery.

Pallbearers were Dover Burnette, Hall Welch, Claude Bradley, Hobart Burnette, Charles Morrison, Glenn Campbell, Floyd Bradley, and Ernest Cabe, Jr.

Survivors include four children, Mrs. Southards, Mrs. Bradley Burnette, Mrs. Hillard Bradley, and Austin Welch, all of Franklin, Route 3; a step-son, Dock Welch, of Franklin, Route 3; 32 grandchildren, and 25 great-grandchildren.

Potts funeral home was in charge of arrangements.

Map And Guide To Coastal N. C. Is Off Press

A new and colorful map and guide to Coastal North Carolina has just been released by the North Carolina state news bureau and will be sent to vacationists planning trips into that area.

Lithographed in seven colors, the guide on one side has both pictorial and road maps of the maritime region of the state. On the other side are nine mileage-tours which cover the more prominent routes into and through the section, with accommodations, recreation facilities, and points of interest located and defined. For waterborne travelers, a special insert—Tour 10 on the Inland Waterway—has been prepared. This will be sent to boat owners contemplating a trip through the waterway.

Macon Folk Again Contribute More Than Polio Quota

Again Macon County people have given more than was asked of them in the fight against infantile paralysis.

This county's 1948 polio campaign fund quota was \$1,620, and County Chairman J. H. Stockton announced Tuesday that contributions total \$1,933.95. This is \$313.95, or approximately 20 per cent, more than the quota.

A few sources are yet to be heard from, and Mr. Stockton said he believed the final total will be close to \$2,000.

In making the announcement, he expressed appreciation to the people of the county for their "generous support" of this cause.

Bronze Star Is Awarded To Penland

James N. Penland, son of Mr. and Mrs. Adin Penland, of Highlands, was recently awarded the Bronze Star Medal by Col. James R. Gunn, Jr., commanding officer of Yokota Air Base in Japan.

Sgt. Penland was awarded the medal for meritorious service as a first lieutenant in charge of a unit of the 333 Infantry in 1944.

The citation read in part: "For exemplary conduct in ground combat against the enemy during the Rhineland campaign in the European theatre of operations."

In 1946 he enlisted in the air force, and in August, 1947, was sent to Japan.

Here Are Things To Recall About Social Security

Every worker and his family should remember these three important points about social security, the field office of the Social Security administration points out:

1. As soon as he becomes 65, every worker should go to the nearest Social Security field office and discuss his rights to benefits. He should do this even though he expects to go on working, no matter where.

2. As soon as the worker's wife or widow becomes 65, she should go to the nearest field office and establish her rights.

3. If the worker dies (no matter what his age), his widow should go to the nearest office and ask whether she is eligible for benefits for herself and her children, if any.

The federal old-age and sur-

Case Set For Hearing Monday Week Before Phillips In Sylva

Saturday's scheduled special beer-wine election in this county was halted late Wednesday when Judge H. Hoyle Sink, in Asheville, signed a temporary injunction, restraining the Macon County board of elections from holding the election.

The order was signed by Judge Sink late Wednesday afternoon. The order was filed in the clerk's office and turned over to the sheriff for service at mid-morning Thursday.

Judge Sink's order set the case for hearing Monday week, February 23, at 2:30 p. m. before Judge F. Donald Phillips, in Sylva. Judge Phillips is scheduled to be holding Jackson superior court in Sylva that week.

At that time, the defendants—members of the county board of elections—are ordered to appear and show cause why the injunction should not be made permanent.

The complaint, seeking the restraining order, was filed in the office of the clerk of court here last Friday by Thad D. Bryson, Jr., attorney representing four complainants. Mr. Bryson had planned to take the complaint before Judge Dan K. Moore in Sylva Wednesday, but Judge Moore, in Raleigh to take the oath of office, was delayed in returning to Sylva, and Mr. Bryson took the case before Judge Sink.

The four who signed the complaint are Robert Davis, of Franklin, Lex Vanhook, of Franklin, Route 2, and Charlie Rogers and Will Rogers, both of Prentiss.

Saturday's special election was called in response to a petition, and the complaint alleges that, from the petition, "it does not appear that persons signing same are sufficient in number or are the proper persons lawfully authorized to sign."

It alleges that the petition designates the signers "as qualified voters, but does not show ... that said signers registered and voted in the last election for governor of North Carolina" (a requirement for eligibility to sign such a petition); that it fails to show the precincts in which the signers voted; and that "there is nothing in the petition to give the board of elections information that signers are persons duly authorized by law to sign and file same."

Finally, it alleges that the petition is not the same one to which many of the signers affixed their signatures, adding that the original petition having been addressed to the board of county commissioners instead of to the board of elections.

The petition requesting the election was filed with the board of elections December 8, and the board, at a meeting December 10, ...

—Continued on Page Six

Since a good producing dairy cow, during the early part of the lactation period, often draws on the mineral reserve stored in her bones, it is advisable to add to each 100 pounds of the concentrate ration two pounds of a mineral mixture composed of equal parts of finely ground limestone and steamed bone meal.

Bond Purchases Here In '47 Averaged \$17.75 Per Person

United States Government Savings bonds amounting to \$282,704.50 were purchased in Macon County last year, according to an announcement by Allison James, state director of the United States Savings Bonds division of the Treasury department.

If these savings were distributed among Macon County's 15,880 persons, it would mean an average savings per person of approximately \$17.75 during 1947.

While 78 counties in North

Carolina have a greater population than Macon, only 63 counties exceeded her in total bond sales during 1947.

Of the total sales here, \$179,244.50 were series E, which reach maturity in 10 years; \$6,660, series F, which mature in 12 years; and \$96,800, series G, which are paid-up bonds paying interest at the rate of 2½ per cent per annum, paid semi-annually.

Total bond sale figures for the state during 1947 are \$85,285,851.25.