

Court Order Blocks County Home Farm Sale

Judge Zeb Nettles Signs Order To Stop Farm Sale

Summons in a court restraining order were served here today on the county commissioners which will prevent them from offering the 140-acre Haywood County Home Farm for sale at auction on October first.

The restraining order, signed by Judge Zeb V. Nettles, of Asheville, judge of the Superior Courts of North Carolina, sets out that the commissioners, as defendants, are ordered to appear before Judge Dan K. Moore, of Sylva, at the courthouse here on Saturday, October 8th, 9:30 a.m. and "show cause, if any, why the order shall not be continued until the final hearing, herein."

Eight plaintiffs are named in the order, acting "on behalf of themselves and others, citizens and taxpayers of Haywood county."

The plaintiffs named in the order are: J. H. Allison, former county commissioner; D. J. Noland, also a former commissioner; Turner Cathy, former assistant county agent, and now principal of the Pennsylvania Avenue School, Canton; Mrs. Lou Singleton, civic leader of Bethel; Ernest Rogers, of Clyde; Mrs. Carl Edwards, also of Bethel; M. V. Jenkins, White Oak farmer; and M. H. Caldwell, retired Jonathan farmer-dairyman.

Attorneys for the plaintiffs are R. E. Sentelle and W. Roy Francis. The three county commissioners are defendants in the case, F. C. Green, F. W. Woody and Frank R. Medford.

The first paragraph of the order sets out that the defendants "are hereby restrained and enjoined from any further proceedings pertaining to the sale of the County Farm and County Home for the aged and infirm, until further orders from the court."

A \$500 bond was posted by the plaintiffs in the case.

The action climaxed a controversial issue here in Haywood since the commissioners announced some time ago they planned to sell the property, inasmuch as the county home is no longer used, since all the folks from the home are now in licensed nursing homes.

Soon after the announcement of the intention to sell the 140-acre farm at auction, about 87 copies of a petition were put into circulation. The bill of complaint attached to the restraining order cites that about 3,000 signatures were put on the petitions.

The commissioners granted a public hearing after the petitions were circulated, and announced that a tract of about 35 acres between the Pigeon River and Highway 110 would be retained by the county and not offered for sale. Some of the citizens from Bethel had asked that some of the property be retained for a future site for a high school.

The sale date was originally set for Sept. 17, but was changed to Oct. 1, because the corn crop prevented surveyors from completing the mapping and plotting of the farm.

The inauguration of the county home and farm for Haywood was authorized in a special act of the Legislature in 1907. The commissioners at that time purchased the 140-acre tract and built the brick county home.

Several additions were made to the building. In 1953 a fire damaged the building. (See County Home—page 6)



EVERETT McELROY, chief of Lake Junaluska, points to a highway covered with frogs early Saturday night. The photograph does not show the thousands of frogs already killed by the constant stream of cars over the highway at the Lake. (Mountaineer Photo).

Lake Junaluska Frogs Swarm Onto Highway

Local Postoffice To Start Closing Wednesday At 12

The Waynesville postoffice will start closing at noon each Wednesday, starting this week, Postmaster Enos Boyd announced today.

The closing will affect the postoffice's stamp and parcel post window, and the money order window. It will have no effect on mail delivery to city and rural routes and on the putting up of mail in postoffice boxes. Mr. Boyd said that a number of postoffices throughout the country now observe noon closing on Wednesdays.

Two Cars Plunge Off Soco Gap

Mr. and Mrs. Peary Ravan of Willford, S. C., were brought to Haywood County Hospital Sunday morning after their car ran off the highway on Soco Gap a mile west of the Haywood County line and overturned 150 feet down the mountain. The accident occurred at 8:45 a.m. in a heavy fog and rain.

Fifteen minutes later, Bobby Shook of Route 1, Sylva, skidded off the same curve and landed atop the Ravan vehicle after sideswiping a car driven by John Tate of South Pittsburgh, Pa.

Some 45 minutes later, Charlie Jones of Canton, a Haywood County deputy sheriff, applied the brakes of his car in an attempt to avoid hitting the Tate car and overturned on the highway.

Only the Ravans were injured, suffering cuts and bruises. Total damage to the four cars was estimated at \$2,500.

Buchanan To Confer On Haywood Highway Projects

Commissioner Harry Buchanan of the 14th Highway District, was in Canton today holding conferences on several county road projects. He said the details were tentative, and he was getting information to take to Raleigh Wednesday in preparation for the regular commission meeting on Thursday and Friday.

Commissioner Buchanan said he understood the engineers were about finished with their survey of the viaduct in Canton. He was to check on that detail later today.

The highway officials said he planned to devote much of his time in Raleigh from Wednesday to Sunday discussing the Pigeon River Road project with Chairman A. H. Graham and engineers of the department.

"I am going to see what can be done to expedite that project, which I consider so vital to all Western North Carolina," he said.



COMPLETING PLANS for the seventh annual Pigeon Valley Fair next week was this group at Bethel High School Tuesday (left to right): Mrs. Bill Swift, superintendent of the catalogue committee; C. C. Poindexter, superintendent of the publicity committee; M. C. Nix, fair superintendent, and Miss Lois Buckner, superintendent of the FHA division. The fair will start Wednesday night with a community religious service and end Sunday with a community sing. Fair exhibits will be open to the public Thursday, Friday, and Saturday nights. (Mountaineer Photo)

Five-Day Pigeon Valley Fair Program Opens Wednesday Night At Bethel

Five Haywood Lions Clubs Considering An Eye Clinic

Woman Makes Perfect Score In Grid Contest

Mrs. John H. Payne, 322 East Marshall St., Waynesville, won The Mountaineer's first football contest of the season and \$15 first-prize money with a perfect score on forecasting the outcome of 12 football games.

This is believed to be the first perfect score ever made in the annual Mountaineer contest. Six entrants missed only one game, while 17 others missed only two.

Tuscola Garden Club Will Meet Wednesday

The Tuscola Garden Club will hold its first fall meeting at the home of Mrs. Paul McElroy, Sr., at Lake Junaluska, Wednesday afternoon at 12:45 o'clock. Mrs. Everett McElroy will be co-hostess.

Mrs. Kenneth Stahl will preside.

Officials and chairmen of eight conservation committees of Haywood's five Lions Clubs approved installation of \$1,500 in equipment for a sight clinic at the Haywood Health Department here.

The five Lions Clubs of the county would finance the cost of the equipment, with the staff of the State Blind Commission, Asheville, doing the work, without cost to the patients.

The decision was reached at a zone meeting held Thursday night at Bethel, with Bill Shull, Canton, zone chairman, in charge. The Bethel club, together with the president, secretary and chairman of the sight conservation committee of each of the clubs attended. The principal speaker was Arnold Hyde, of the State Blind Commission, and Mrs. Elba Kearney, physical restoration nurse of the Commission.

Tentative plans are for the clinic to be conducted once a month. The Health Department staff, together with teachers of the schools would screen the students and send those to the clinic that it was felt needed an examination. These agencies would work with Miss Pauline Williams, welfare blind commission agent here.

At present four to six clinics are held each year in the county. The reports showed that last year 257 examinations were given, 23 were medical cases and 16 surgical cases.

The plan will be presented to each club for formal action, and (See Lions Club—page 5)

Former United States Senator William H. Smathers of New Jersey, a native of Waynesville, died in an Asheville hospital early Saturday morning. He was 64. He had suffered a cerebral hemorrhage and was hospitalized last Monday. His home was in Waynesville.

Smathers was elected to the U.S. Senate in 1936, having defeated the old-guard Republican incumbent, Senator W. Warren Barbour.

The former United States Senator was the son of the late Dr. and Mrs. B. F. Smathers of Waynesville. He was an uncle of Senator George Smathers, Florida Democrat, and was a member of one of North Carolina's oldest families.

He went to New Jersey in 1912 to practice law, but never lost his slow way of talking and walking that was his Southern heritage. He (See Sen. Smathers—page 6)

The annual Pigeon Valley Fair will be a five-day event this year. It was decided by the board of directors, as they completed plans for the program.

The fair will be held at the Bethel school, as in the past, and will start Wednesday, Sept. 28 and continue through Sunday, Oct. 2, when a community singing will be staged.

The five-day event will begin with a religious service on Wednesday night.

Judging of exhibits will be Thursday night, and open Friday and Saturday.

A folk festival will be staged Thursday, Friday and Saturday nights.

The day time program will include a pet and livestock show on Friday morning, a football game between Bethel Demons and the Hendersonville Bearcats during the afternoon.

A horse show will be featured Saturday afternoon.

A queen for the fair will be named during the folk festival event Thursday night.

Officials of the fair organization said today they expected the largest and best fair in the history of the community.

M. C. Nix, vocational agriculture teacher at Bethel high school, will serve as fair manager.

Carlyle Sheffield will serve as secretary-treasurer.

Directors from the six Pigeon Valley communities are as follows: Delmar Reed, Stacey Cove; Mrs. Henry Garner, West Pigeon; L. H. Sherrill, East Pigeon; Mrs. Cecil Moody, Center Pigeon; L. C. Moody, Cecil; Dick Alexander, Cruso.

Fair superintendents will be: E. B. Rickman, crops; Mrs. C. S. Terrell, woman's department; Mrs. (See Bethel Fair—page 3)

Last Rites Held Sunday For Senator W. Smathers

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SENATOR SMATHERS

Judgment Returned In Eight Cases

Cases heard by Judge Moore in the civil term of Superior Court the latter part of last week and today included:

Judgment against Walter McHaffey in an accident case, ordered to pay \$500 each in damages to Hester Woody, Harrison Caldwell, and Murphy Rathbone.

Judgment of \$1,300 against the Cogdill Motor Co. of Sylva in behalf of Allen D. Cascy.

Lena Jenkins vs. Joe Smathers and Inez Smathers — plaintiffs case and defendant's counter claim nonsuited and dismissed. Court costs charged to plaintiff.

Frankie Jo Daves Robinson vs. Clyde M. Robinson. Plaintiff awarded alimony of \$66 monthly.

State vs. John Rigdon, Jr. Clerk of Court authorized to refund \$1,280 to defendant, which had been paid by the defendant in payments of \$10 weekly, as ordered during the February, 1953 term of Superior Court on a charge of forcible trespass. Defendant asked to use the money to purchase a home.

A similar order was authorized by the court in the case of the State vs. James Robert Browning.

Draft Board Classifies 61 County Men

Sixty-one Haywood County men were assigned draft classifications at a recent meeting of Selective Service Board 45.

Class 1-A (Available for induction)—William Ray Clontz, Carl Hardin Hannah.

Class 1-C (Inducted) — Robert Crage Spurling, Jr., Charles Edwin Messer, Edwin Neal Grasty, Ernest Phillips, Jack Lee Bishop, Lawrence Junior Thomason, Glenn Browning, Darold Crawford, George Marion Edwards, Marvin Eugene Jones, Kenneth Grover Parks, Grover Charles Swayngin, Jr.

Class 1-C (Reserve) — Kenneth Allison Deaver, Jack Douglas Milner, James Howard West, Arlen Nelson Duckett, Edwin Palmer Ratcliff, Kyle Davis Grasty, Forrest Messer, Charles William Phillips, Joe Jerry Mull, James Cleveland Caldwell, William Homer Owen, Jr., Harley Estus Wright, Jr., Mark Twain Rogers.

Class 2-A (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-B (Discharged)—Carlson Herman Higgs.

Class 2-C (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-D (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-E (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-F (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-G (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-H (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-I (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-J (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-K (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-L (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-M (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-N (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Class 2-O (Occupational deferment)—Hugh Kirkpatrick Terrell. (See Draft Board—page 6)

Proper Mufflers Cause Arrests On Weekend; Drivers Start Campaign

Patrolmen arrested 48 drivers over the weekend here for improper mufflers on their vehicles.

They were issued the 48 citations. The court can impose a fine of \$10 or up to 30 days in jail, and costs, the patrolmen, according to Cpl. Smith, inaugurated the under section 20-128, which reads as follows:

"No person shall drive a motor vehicle on a highway unless such vehicle is equipped with a muffler working in proper order and in operation to prevent unusual noise, annoying or excessive noise, and smoke screens."

It is unlawful to use any motor vehicle on a highway, if it is not equipped with a muffler working in proper order and in operation to prevent unusual noise, annoying or excessive noise, and smoke screens."

Three defendants were arrested in Waynesville this afternoon.

Several complaints were filed. Cpl. Smith said, "The purpose of the law is to clear the highway of these improper mufflers. The law will continue, and all work enforcing this violation," he explained.

When the operator of a motor vehicle is driving his motor at a speed which is excessive and the result was a fatality or the death of a person, the driver shall be liable for the death of the person.

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