

EXPECT DECISION IN TOWN BATTLE

Judge Shaw Will Render Ruling In Kenilworth Mandamus Suit

A decision is expected today by Judge Thomas J. Shaw in the case of the mandamus proceedings brought before him by certain taxpayers of the town of Kenilworth to compel an election to be called.

The case was heard yesterday afternoon by Judge Shaw. The question was purely one of law, and no evidence of any kind was submitted. The case for the suing plaintiffs was argued by Joe L. Deadwyler, and for the defendant municipality and officers thereof by C. N. Malone and J. Walter Haynes.

According to the contention of the taxpayers the town charter provided that an election should have been held last November. No such election was called, they say, by the officials and the action was brought to compel them now to rectify the alleged failure by forthwith calling an election. After the hearing Judge Shaw announced that he would give a decision in the matter later. As the Judge is scheduled to leave Asheville today it is expected that a decision will be announced sometime this morning.

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