MAKE NEW TEST **BLUE SKY LAW**

Will Determine Validity of Notes Aggregating \$62-000 For Worthless Stock

The first test to be made in Wake county of the "Blue Sky Law" as a bar to the collection of notes given for stock came to trial in Superior court yesterday in the case of S. B. Holleman against the Harnett County Trust Company, of Lillington, and the Union Trust Company, of Ra-

The plaintiff is seeking to have four notes, amounting to \$10,000, brought into court and the case is being used as a test case to determine the validity of notes aggregating \$68,000, which were given to the defunct Cumberland Railway and Power Company, and are now being held by the Union Trust Company for collection. Trial of the case will probably continue through today and it is expected tha tthe case will be carried, in any event, to the Supreme

The Cumberland Railway and Pow er Company was placed in the hands of receivers in December, 1920, and its stocks and bonds are new absolutely worthless the receivers having been discharged. Shortly after the receivership, N. T. Patterson, of Coats, president of the Harnett County Trust Co., and several other banks holding the company's securities comnicted suicide and a few months la-ter, H. L. Jones, of Norfolk, Va., president of the Cumberland Reilway and Power Co., was killed in an automobile accident.

It is alleged by the plaintiff that the transaction under which the notes were obtained contained several elements of fraud, it being alleged that they were given for stock and bonds which were never delivered as promised and that the sale was made on a number of false representations concerning the affairs of the company and those who had purchased stock

According to the pleadings, bonds of the Cumberland Railway and Power Co., were attached to the notas,

endorsed by him, and turned over to the bank as collateral, in exchange for certificates of deposit but not for

The Harnett County Trust Co., la ter became threatened with insolvency and the holders of the certificates of deposit surrendered them under an agreement whereby the Union for the collection of the notes.

The plaintiff is alleging violation of the Blue Sky law in that there was no written agreement and that the name of the Cumberland Railway and Power company or its agents does not appear on the notes. In further bar of recovery, it alleges that the notes were given without consideration.

The controversy arises over the rights of the present holders of the notes. The plaintiff alleges that th Hamett County Trust Co., and the Union Trust Co., both acquired the notes with full knowledge of the manner in which they were obtained and that neither acquired them for a consideration or in due course.

"The plaintiff is surprised that company of the high reputation of standing of the Union Trust Co., would allow itself to be used as a vehicle for the collection of what everybody knows to be fraudulent notes" reads the complaint.

The notes are held in trust for the following former owners of the certificates of deposit issued by the Harnett County Trust Co.; R. B. Whitley, Merchants National Bank, Dillon Supply Co., E. S. Pool, Bank of Warraw Bank of Duplin, Planters' Bank and Trust Co., National Surety Co., Ben Paul Snyder and E. F. Young, receiver. The Merchants National Bank and Snyder each held certificates in the sum of \$15,000, while the other holdings were for lesser amounts.

In addition to the notes held S. B. Holleman, the makers of the other notes are: J. Walter Stewart, J. J. White, J. T. Wilson, A. H. Shearn R. V. Murray, W. F. Mitchener, J. T. Matthews and J. L. Johnson. Mr. Johnson's paper, which amounts to \$18,000, is in the form of certificates of deposit on a South Carolina bank

Williams and Maynard and Pou Bailey and Pou appear for the plain-tiffs, while the Harnett Bank and Trust Co., is represented by J. R. Baggett, of Lillington, and J. A. Mo-Leed, of Dunn, while Murrey Allen and J. M. Broughton appear for the Union Trust Co. dews and Observ-

ar. 1921, Johnston, Pitt and Robe son were among the fifty richest agricultural counties in the Union.

North Carolina pays one-fourth of all the tobacco taxes of the Union.

DR. BROOKS TELLS OF

His Address Features Convention of Eastern County Superintendents and School Boards

Goldsboro, April 27 .- The address of Dr. E. C. Brooks, state superinendent of education, before the conrention of eastern county superintendents, school boards and teachers and the public last night in the courthouse was a comprehensive presentatoin of the financial needs and the high intellectual aims of the public schools system of our state.

All who heard him were impressed with his earnestness and his optimism. There were about 60 of the 80 suonference here yesterday and among the officials of the state department here for the conference were Miss Elizabeth Kelly, Miss Susan Fulghum, A. T. Allen, A. S. Brower and Prof. J. Henry Highsmith.

Professor Washington Catlett, New Hanover, is president of the castern Carolina group and J. J. Barker, of Jones, is secretary. The meeting this morning concluded the an-

MOW NORTH CAROLINA; BEATNG THE BOLL WEEVIL

The cotton boll weevil has reach our state and is each year advancing porthward in it. Our cotton grow ers, if they are to continue in the Towth of cotton profitably, especially in much of the Coastal Plain secion, must all soon adopt methods hat will effectively control or reduce o the minimum the ravages of this pest. The methods of the past will save to give way to more effective ones. The following are some of the recautions and methods which will ave to be used in reducing the severity of attack by this pest and in naking cotton growing most produc-ive and profitable under boli weevil nfestation:

1. Be calm, use generally goo arming methods. Meet his attack rith courage if you wish to win out 2. Plant cotton only on uplands. One will run a big risk to plant betom lande or lands near wooded area sticularly so in extreme castern and

3. Use at least 600 pounds of ferilizer to the acre, containing a larger roportion of phosphoric seid than ordinarily used, avoiding the use fertilizers too rich in nitrogen.

Break lands well for cott arly in the fall or winter. Plant as arly in the spring as ground is warm. Cultivate well and frequently to keep plants growing vigorously from the

Plant smaller acreage and kees ields free from rubbish, grass, woods nd bushes.

6. Pick up and destroy all first quares that have been punctured. In lanting use a plenty of well matur-

7. Secure and maintain a mode tely thick stand, not exceeding 8 to 12 inches between hills. This will growth and to mature quicker. Hav ows about 4 feet apart.

8. Grow sufficient food and feed rops to meet the needs of farm. 9. Avoid excessive rank excepth

f cotton plants. 10. Field select seed, and use for planting, early fruiting and early pering varieties of cotton like Clevland Big Boll, Express, or Edge-

11. After gathering cotton, stroy cotton stalks, weeds. etc., by plowing in five or six inches deep in the fall before frost, then put the and in suitable cover crops.

12. Establish a good crop rotaion in which suitable leguminous rops with the main money crops are sed.-C. B. Williams, Dean of Agriulture, N. C. State College of Agriulture and Engineering.

MRS. VANDERBILT ATTENDING THE DRAINAGE CONFERENCE

Goldeboro, April 27 .- Mrs. Edith Vanderbilt, president of the North Carolina Agricultural society, accor panied by her daughter, Miss Comelis, arrived in this city tonight from Raisigh and was met at the station by a committee of ladies from the Woman's club and a committee from the Goldsboro chamber of commerce.

Mrs. Vanderbilt will be the recipient of many social attentions between times as her program engagements will permit.

Temorrow afternoon the Woman' club will entertain from 5 to 6 at a garden party in honor of Mrs. Vanderbile at the home of Mrs. B. G. hompson on East Ashe street.

The Goldsboro Elks will give a moker at their lovely home on Chestnut street tamorrow evening in honor of the gentlemen attending the

THE FINANCIAL NEEDS GOLDSBORO YOUTH HELD FOR COURT

Boy Who Killed Syrian Released In \$5,000 Bond; Trial In May

COLDSBORO YOUTH Goldsboro, April 26. - Howard frawn, the 16-year-old boy who shot and killed Albert Bechiefs, a Syrian esterday afternoon, was granted oail in the sum of \$6,000 this afteroon A. T. Griffin, C. W. Peacock and U. M. Gillikin standing his bond. The case will be tried in Superior Court May 29. Brown is said to save committed the rash act after weeks of suffering apparently driven nad by frequent visits of the young syrian to his home while his father vas at work, and he at school. he past few weeks his school teacher and companions have noticed his moose condition. Last Saturday night e remarked to a friend "that he rished he was dead." Yesterday he tayed away from school to see if the Syrian visited there after having seen warned by Howard that he rould kill him if he ever caught him here again. Howard came home went to get his pistol while the Syrian was oing out the front window. Howard ollowed Bechira to Rogers' store, hey had some words, and the boy hot him five times, each shot taking

Coroner Baker called an inquest t 5:00 o'clock. Several hours were pent in hearing witnesses and the quest adjourned to meet at 10 o'ock this morning. The jury could lo no morethan send the case on to uperior court.

Howard is a member of St. John's f. E. Church and Sunday School, and boy of excellent character. Last ight a mass meeting of his friends hey rallied to his support. Afbert echira was about twenty-three years f age, and has been a resident of his city for two or three years.

BOYS WITH SERVED WITH ALLIES GET PREFERENCE

Washington, D. C., April 27.-Un-Service Commission today, citizens

f the United States who served in he forces of the Allies during the World War will be given preference n appointment to civil service posilons. Heretofore, the preference has extended only to those who served in be American forces, to their widows, nd to their wives under certain conlitions.

In authorizing this extension of he preference, the Civil Service comnission states that consideration is even to the fact that service in the forces of the allies was in a common ause, and for a considerable time inder a common commander-in-chief; hat is, after March 29, 1918, when Marshall Foch was placed in command f all the allied forces.

Take The \$ Mark Away

The coming of springtime is herilded again by the extravagant press genting of the vast industry of base

From one end of the country to the other, the leading newspapers are giving columns of free space to the publication of articles designed to bull the suspicions and arouse the interest of the baseball public, so the private pocketbooks of owners of baseball teams may be lined again. Persons acquainted with the operation of the press would never accuse newspapers of being eleomosynary institutions; yet every year the great newspapers give free millions of dollars worth of advertising space to professional asseball, while the amateur games, in which boys and men play on the sandots after school and work, received

scant line or no attention at all.

Professional baseball is a cold, ard business, in which the players tre workingmen, compelled to labor daily at a routine employment bound by fast rules, enforced by ard taskmasters, and hired by men who cast aside aged young men with a ruthleasness no other private employer would dare to exercise.

School and mand-lot baseball, the other hand, has the right to be known as America's national game. It is inspired by youth's natural ambition and energy and dedicated to health and sportsmanship.

Athletic sports have had their highest development in America. But here too, they have been capitalized in the most vicious manner. It is time to take the dollar sign off.-The Dearborn Independent.

YOUNG MAN BURNED TO DEATH IN FOREST FIRE

Kinston, April 26 .- Moody Stroud 22, was fatally burned in a forest fire wear Pink Hill last night, dying to-Dr. Joseph Hyde Pratt arrived this day. Stroud was simping in the afternoon. President John H. Small woods by a camp fire which ignited will arrive some time tenight.

DR. BROOKS CAL

perly Carrie Raleigh, April 26. a setion of Dr. R. C. Brooks, sustendent of Public Instruction, in alling attendent of countries on the state of countries of countries on the state of countries of cou tion to boards of countriesmissioners who wanted to class schools be fore the six-months WAS UP secause of a lack of mey, to the fact that there was no other provision school to close bell erm had been provident allowed a months many letters of Raleigh. many letters of per Some of these lets from influential, but coming rened men

n counties, to men

now personally Some of the letter int to know for have to Dr. Brooks f the county com evy as much most ays they must leve a budget Dr. Brooks and send it to the ioners and then fe

of the ad-

ppen

this budget. The answers to f course, is in the questions re stive to all to the pow r of the state su ent of pubic instruction. He b letter wriers are being told ght to force county to adopt get he sug-der the levy cate in-any fact, he has lavy of the bling to do cests, and no right of any particular ounty in the state othing to do wis ith the expendits ney raised purposes. the county for All Dr. Brooks do with the Carolina is chool system of o see that the tional proder the rules inions are carried and regulations n by the and by the egislature and in ourts. Those who s along this alled to the etters are getting ine. Their attent act that the taxes ng of most is tax have voted attontio

n themselves. It oing called to the called t for go rnment up to fifthen cents on the undred dollar value.

2. Counties may levy up to 39 ents on the hundred dollar values or school purposes. The rate is fixed it 39 cents on the hundred because is estimated that with what aid he state itself renders the weaker ounties from funds coming entirely rom other than exoperty tax that his rate will enable all counties to arry out the constitutional command hat the schools of North Carolina hall be open six months of every year. Dr. Brooks, the letter-writers re being told, has no right to change his constitutional provision, no right o modify it in any way. In fact, is oath of office makes him swear hat he will uphold the constitution. If he carries out his oath of office

re run at least six months a year. 3. The outside limit of tax, there fore that the laws of North Carolina and the constitution allow a county to levy is 15 cents plue the 39 cents chool tax. And all of this need not be levied if the countles can get along with less than that amount and still comply with the constitutional demands for the six months' school orm. Some counties de not have to evy the full amount. In those counties where the lovy of 89 cents does not produce enough revenue to run the schools aix months, the state teps in and help from funds that lo not come from the general proprty tas, but from incomes, inherit nce, franchise and license taxes.

Countles Kicking Most

The countles which get the most rom this general state fund are the mes that are doing the most kicking. and they are kicking about the tax ate over and above the 84 cent limt. That is a presponition over which)r. Brooks nor any other state offcial has any control. Any tax any nan in any county pays over and aocal authorities have imposed for public and local improvements in heir own communities. Counties or ommunities which vote bond issues have to levy enough tax to pay the law requires this, and the county authories which failed to make this provision are subject to make this pro many instances, the kicks are coming from people who themselves have voted for bond isses or voted special taxes for one purpose or another, or whose county or other local officalls ave incurred the debt for them.

The great sepret of success in life is to be ready when the opportunity "What the Bible Teaches about the

TAXES DISTRICT MEETING IN **DUNN MAY FOURTH**

Daughters of the Confederacy Arranging Program For The Occasion

The district meeting of the United Daughters of the Confederacy will be held in Dunn May 4th. The exercises will take place at 10:00 o'cleck in the morning, in the fraternal hall. The address of welcome will be made by Mayor J. L. Wade, and will be responded to by Mrs. McD. Holliday, president of Chicora Chapter, U. D. C.

The following interesting progr has been arranged: Song-"America" Invocation ____ Rev. E. N. Johnson Address of Welcome: Mr. J. L.

Wade, Mayor of Dunn. Response-Mrs. Me. D. Helliday resident Chicora Chapter U. D. C. Violin Solo Mr. Robert Jordan Greetings: Woman's Club-Mrs.

ewis Stephens. Chamber of Commerce: Mr. Gold-

Vocal Solo ... Mrs. Herbert McKay introduction of Mrs. T. W. Wilson: Address: by Mrs. T.

State president U. D. C. Quartet-Mosdames Herbert Mc-Kay, Jos Swain, W. S. Snipes, Jnc. Lanch

Piano Duet-"Poet and Peasant". verture -Mesdames Lloyd nd Bob Godwin Business Session: Miss McMilian, presiding.

The Yohacoo Grewers' Enemy The Tobacco Growers' Co-operave association has an enemy. ecks to blast the hopes of the plantrs in their very first year of co-oprative marketing. It plans to disourage them when their intelligent nited effort would bring better pries. It is a subtle enemy, an invis nemy, more dangerous then indiffarent banks or a league of buyens. Its tent is withing the lines of the obacco growers themselves. Its name Overproduction.

cheme appears so sound and so pracicable and corrects such obvious vils that its limitations are not alrays seen. The farmer may reason hat as the co-operative association an market 3,000 pounds of his toacco at a better figure than he ever eccived before, the association can lo equally well with far more tosacco than in the old days of private

narketing. This has happened, as everyone nows, time and time again in toarmers a good price for this year's rop and they will beat down next ear's price by increasing their acre ge. Each generation of farmers has ut its own throat. If they do the ame thing now the planters will be playing directly into the hands of he buyers. It will be human nature at the outset for the purchasers of the farmers' tobacco to test out the trength of the association, especially is many of the manufacturers have surplus of the leaf in storage at this ime. The next season may open late and be slow. If, in these circumstances, planters hold very large crops hat have to be sold quickly the recourses of the association may be so axed that the market will break badly. Should that happen, the growers will not blame themselves, but the slan of co-operative buying in some nstances may yield to the enemy. On the contrary, if the crop of 1922 is light, farmers may be assured of all the advantages of brisk demand plus all the bonefits of wise marketing The result will be financial strongth to the farmer and the speedy ending of any campaign directed against the

Co-Operative marketing cannot up et the laws of supply and demand That must be remembered. If the farmer to guilty of overproduction not all the warehouses and all the redit of the strongest organization can save him from ultimate loss.

The co-operative association ma not be handleapped by foolish, gree dy and selfish overproduction at the very beginning of what may be a wonderful career.-Richmond Leader.

At First Baptlet Church Rev. R. N. Johnson, pastor of the Pirst Baptist church, has announced a series of Sunday evening sermons on the general subject "What Bap-tists Believe." The dates and subjects of the sermons are as follows: Sunday evening, April 30 "What Is A Baptist Church; Sunday evening, May 7, "Is Baptism Essential to Sal-

vation?"; Sunday evening, May 14,

Lord's Suppor."

JOHNSTON COUNTY TO HAVE EXHIBIT AT THE STATE FAIR

stion Effected To Have L Charge the Placing of County Exhibit at State Fair

A group of interested persons mel last Saturday in Smithfield and organized a subsidiary organization to the State Agricultural Society, to be known henceforth as "The Johnston nelude the State Fair vice-presidents

Mr. W. M. Sanders, who is also a director in the State Pair society was elected president and treasurer; Sam T. Honeycutt, secretary and A. M. Johnson, manager.

The Board of directors elected W. H. Austin, J. P. Parker, S. T. Honeycutt, J. H. B. Tomlinson, S. P. Ioneycutt, W. H. Flowers, C. W Sanders, Mrs. T. J. Lassiter, D. B. Oliver, J. R. Ledbetter, and Mrs. C.

The county has appropriated \$500 to put on the exhibit at the State Pair. The officers and the manager have already secured pledges from farmers and others to grow and deliver specific produce for the exhibit and deliver it at Smithfield and Releigh this fall. But they want more and are urging other farmers to spec fy what they can produce of number one quality and inform the manager about it, right away before planting

casen is over.
A loaflet will be printed to be dis ributed at the Booth at the State Pair, telling about Johnston County's resources and the names of the folks who contributed produce for the ex hibit. This bulletin will show why Johnston County stands 45th in the United States in production and now she got there. It will be carried to should be a pulling instrument in petting more good settlers and landwners in Johnston.

just what kind of an exhibit he will put on. He says he wants to keep a few things under his hat for feat ve need not worry about the results and that then will be time enough to row about Johnston and her "ever lay" folks.

stor Not Made By Machi This is the age of muchine made goods. Shoe factories, silks, wooles and cotton mills, all turn out their nanufactured goods. Practically everything from a fish hook to a battle hip is made by machinery. There is ead machinery, farm machinery, nining machinery and practically evry other sort of machinery. The iron horse has taken the load off the back f the horse of flesh and the automo ile has outrun the ancient ox-cert in a word, the great departments of which originally meant hand-madeend transportation as they exist totay are the result of the extensive

The dominating place of the ma hine to all industrial life has led the world, unconsciously, let us say, to adopt the same method of making human character. Take a boy or girl he raw material, run them through some sort of a machine, and thereby turn out the finished product. The machine in this instance is called an astitution. To get a religious educaon run him through a Sunday chool. To get an ordinary educatio un him through the graded school to get higher education run him through a machine called a college and so on in every process that goes

The favorite way of doing social plife work is to make a survey, tabuate figures in an office, lay plans for ome sort of an organization on which s only another piece of machinery. for social betterment. Any and every method is adopted except the method of the personal touch that works hand in hand and heart to heart. Personal character is hand made and heart made. Institutions therefore without the personalities are futile. That is why a home with father and mother is better than an orphan asy-um. Here is where Mark Hopkins and his log comes in for the making of a university. Machinery can turn out a bolt of cloth, a locomotive, or a mouling machine, but it canont turn out a human character, any more than an ad after Jan. 1, 1923, will be it his log comes in for the making of a

"Willie," said his mother, "I me insists that you stop shooting craps those poor little things have as muright to live as you have." -- I

FURTHER SERIOUS BREAKS IN LEVEES

New O.leans, La., April 27,practically all hope of closing break in the leves at Ferriday abundaned, the break there son ing widened to fifteen hundred leves engineers today turned ger threatens, the most of these being at Arkans

The accord break of the day was jorted at Poydras, 12 miles believed at Poydras, 12 miles believe Orienna, where about 250 felies were driven out of section Saint Bernard parish between liver and lake Borgas.

Will Probang Flood
Flood water from the cruyance Poyriday, which is on the right he of the Missinsippi, eight miles nor yeast of Notches, Miss. will return he Missinsippi and Alchebrase.

test of Netches, Miss., will return to be Missimippi and Alchelfalps riv-es through the Black, lower Ouishits and Red Rivers, and will intensify and prolong the flood situation in his section, says a buildin issued by he local weather bureau today. Water from the Ferriday enevases

rill cover practically every corcordin parish; more than latabouts (castern and couts ions,) lower Tenens, southern in, and a part of Averilles Heavy rains during the ours on the Red and Ouiel seins have further intensified the

Water now in the Missis

Water new in the Mississippi river clow Old River is a buil fact to no foot higher than in 1912, the revious highest stage of record.

Crewman Widom

The creeasum which accurred this seeming on the laft bunk of the Rississippi, 12 utiles below New Orleans, as wiseased to 480 feet into teday. nder way, no effort having brade as yet to close the gap, arquette and leves having caved a the river. Water from crovass verflowing augur and trucking to St. Bernurd and Plaquemine has and will pass through Lake urg, Martinsville and Jonesville, La.,
y the Red Cross, where food, clothig, bianicate and medical attention
re available to the homeless rasidnts of the overflowed ar han 4,000 persons are being cared or in the refugee camps tonight, while hundreds of others are being he Monroe, La., National Guard company was assigned to duty at he Harrisonburg ranges camp to-ay to co-operate with the Red Cross caring for the refusees.

LAN CURB MARKET TO HELP OUT HOUSEWIVES

Greensboro, April 27. — Longin or vegetables and produce free rom the farm, the agricultural by can of the Chamber of Co ere, the woman's club and the ureau have perfected arm vomen guarantee that at least one hundred housewives will be on hand when the market opens, and it is sp to the farm bareau to see that here is sufficient produce for them. The curb market is intended as a low to the cost of living; also as a neans of securing vegetables while hey are fresh.

Situation Not So Good The prospect held out by the Trea-ury is not so good as could be desir-d. We are likely to close the present lecal year with a surplus of \$47,000 100, but the estimate of the defic 'n the next fiscal year has been raise from \$167,000,000 to \$484,000,00 Of this \$125,000,000 is the m nterest on war saving certific

North Caroling has grown cors to the sere than any other