

# THE ROBESONIAN

ESTABLISHED 1876. SINGLE COPY FIVE CENTS.

COUNTRY, GOD AND TRUTH.

\$2.00 A YEAR. DUE IN ADVANCE.

VOLUME LII

LUMBERTON, N. C., MONDAY, OCTOBER 31, 1921.

NUMBER 75

## Town Auto Driver Tax Valid

Supreme Court Holds Lumberton's Tax of \$5 on Automobile Drivers is Valid and Enforceable—Court Says Tax is Reasonable and Not in Conflict With Any Statute.

Automobile drivers of Lumberton must pay the license tax of \$5 called for in an ordinance passed some months ago by the town commissioners but the enforcement of which was held up by an injunction. The North Carolina Supreme Court last week handed down an opinion reversing the judgment of Judge John H. Kerr in this case and holding the ordinance valid and enforceable.

It will be recalled that the town commissioners passed an ordinance to take effect June 30th, 1921, requiring all drivers of automobiles to obtain license from the town clerk and treasurer before operating their machines and fixing a fee of \$5 for the examination of the applicant and the granting of the license. Certain citizens employed Messrs. McIntyre Lawrence & Proctor to resist the enforcement of the ordinance and this law firm obtained an injunction against the town. The case was heard before Judge Kerr at the July term of Superior Court and he continued the injunction and held that the ordinance was void. Town Attorney T. L. Johnson contended that a town ordinance cannot be tested by an injunction and also contended that this ordinance was authorized under the town charter and under the provisions of an act of the General Assembly of 1921. The Supreme Court decided with him and dismissed the action.

A copy of the ordinance was published in the Robesonian in full at the time of its passage. It provides, in the main, that all residents of the town who propose to operate automobiles within the corporate limits shall make application to the town clerk and treasurer for license, and produce evidence of good moral character and of sufficient experience in the operation of cars to enable them to drive over the streets with safety. The applicant is also required to show that he or she is above 16 years of age. The license, when granted, allows the holder to drive any car, or as many cars as he likes, during the fiscal year for which it is granted. The Supreme Court after holding that an injunction is not the proper method of testing a town ordinance, and that the court had no right to question the purpose of the town board in passing the same, further held that the ordinance is not in conflict with any statute and is authorized under the general provisions of the charter of Lumberton, and is reasonable.

In concluding the opinion the court referred to the amendment to the automobile law passed by the General Assembly of 1921 and said: "The effect of this amendment was to authorize the city to regulate and control the conduct of chauffeurs of automobiles and the drivers of all other vehicles and to impose a reasonable license fee, which we deem was not exceeded by the requirements of the payment of a license tax of \$5. Even if this ordinance were enacted solely as a revenue measure, \$5 is not an unreasonable amount to be levied as a tax and license fee on pleasure or other motor vehicles when \$50 is authorized as a tax upon those motors engaged in transportation for hire."

## NO NEW CASES SCARLET FEVER OR DIPHTHERIA

Grammar Grades of Local Schools Closed Till November 7—Children Under 17 Not Allowed at Public Gatherings.

No new cases of scarlet fever or diphtheria in Lumberton have been reported to Dr. E. R. Hardin, county health officer, since Thursday. As is stated elsewhere in today's paper, all grammar grades at local schools have been ordered closed until Monday, November 7. This was decided at a meeting of the school board, the county health officer and local physicians Thursday evening. Persons under 17 years of age are barred from attending picture shows and other public gatherings.

## 39,331 BALES COTTON GINNED IN ROBESON THIS FALL

Nearly Twice as Much Cotton Ginned to October 18 as Was Ginned to Same Date Last Year.

There were 39,331 bales of cotton ginned in Robeson county to October 18 this year. The number of bales ginned to the same date last year was 22,109.

Marshal Foch Invited to Visit State. The Council of State Saturday adopted resolutions inviting General Foch to visit Raleigh, Camp Bragg and Fayetteville on his visit to America. Governor Cameron Morrison has telegraphed Senators Simmons and Overman to extend the invitation. An invitation to visit Fayetteville also has been extended the famous marshal by the mayor of that town.

## Marshal Foch Given Wonderful Welcome

Not Since Dewey's Return from Manila or Armistice Day Has New York's Millions Turned Out in Such Numbers—Moved Everywhere in Great Triumphant Procession.

New York, Oct. 28.—Marshal Foch captured New York today and then sped away to conquer the rest of the country. New York surrendered without striking a blow. For a long, long time the city had been waiting to pay off just a little of its debt of gratitude to the small man in horizon blue whose skill and daring at martial chess had reduced the proud armies of Germany, and this afternoon it seized its opportunity.

Not since Dewey returned from Manila, not since Armistice day, did the city's millions turn out with such spontaneity and in such numbers. Had the hardy little Frenchman who led ten million soldiers to victory, ridden up Broadway in a war chariot, dragging captives behind him like the emperors of Rome, he could not have received a greater welcome than was accorded him as he rode up the historic thoroughfare in a twentieth century motor car, enveloped in a deluging shower of paper hurled from skyscraper windows.

From the battery where he was greeted by Governor Miller to city hall where he was welcomed by Mayor Hylan he moved in a greater triumphal procession, after steaming up the harbor to the boom of guns, the ceaseless blast of whistles, the roar of airplane motors, the shouts and cheers of countless thousands. By his side rode General Pershing who in the dark days of the war led across the Atlantic, America's fighting men who took their places under the banner of victory. It was General Pershing who was first to welcome his old comrade to these shores.

Upon the marshal the city conferred its freedom, and then he continued his triumphal march up town. This time it was along Fifth avenue he motored, and Fifth avenue proved as wild with enthusiasm as lower Manhattan, the financial heart of the world, which had tossed its day's business worries out the window with its paper shivers.

At the Pennsylvania station there was another display of enthusiastic welcome. Cheers were still resounding when the special train taking the marshal to Washington on the first leg of his journey to Kansas City for the American legion convention pulled out of the terminal.

The marshal's welcome began 100 miles out at sea. There, the liner Paris bearing him to the new world was joined by 12 American destroyers. For a time the war craft had it all to themselves, but soon through the mist broke a squadron of seaplanes. The marshal raised his head at the familiar sound of sputtering motors overhead.

On moved the Paris, passed by the George Washington, which had raced into port with General Pershing in order that he might be first to grasp the marshal's hand on American soil.

At quarantine came another welcome. Transferred to the navy cutter, the soldier of France clasped hands with Ambassador Jusserand, with Assistant Secretary of the Navy Roosevelt, and with many other notables.

But the series of receptions had hardly begun. The next came off at Fort Jay when guns thundered a general salute. And then the climax: Landing a few yards from Castle Garden, where his famous countryman, LaFayette, had set foot on American soil, the marshal found awaiting him a reception that even his imagination could not have conceived.

The wide stretch of open ground had been converted into a great stadium, the walls of which were skyscrapers stretching stories high. At every window, on the roofs even out on dizzy cornices 25 stories above the street were perched men and women waving the flags of America and France. On the street, below were massed a great army of well-wishers—men, women and little children. Indeed, it seemed as if all the little girls in New York were there with bouquets which they wished to press into the marshal's hands. As soon as the soldierly little figure, in the light-blue uniform of France stepped off the pier a mighty shout arose. A few minutes before General Pershing had appeared to the sound of ruffles and flourishes, and these were repeated for the French hero.



## GUEST OF AMERICAN LEGION AT KANSAS CITY CONVENTION



MARSHAL FERDINAND FOCH.

## American Legion Convention Begins

Third Annual Meeting Begins in Kansas City Today and Will Continue for Three Days—Marshal Foch, General Pershing and Other Famous Military Men Will Be Guests of the Convention.

Kansas City, Mo., Oct. 30.—The 3rd national convention of the American Legion will open here tomorrow morning, with the national officers of the Legion prepared to go ahead with the gathering, which has been planned for months, attend to Legion business, entertain Marshal Foch, General Pershing, Admiral Beatty, Gen. Baron Jacques, of Belgium, and General Diaz, of Italy, despite possible problems of transportation back home.

The convention is to continue three days, with night sessions. Vice-President Coolidge will deliver a brief speech to the convention to-morrow morning, and a memorial service for the late Col. Frederick W. Galbraith, Jr., who died while hurrying to catch a train in order to make tomorrow's convention a success.

Mme. Schumann-Heink is to sing at the Galbraith service.

## 23 Dead and 12 Missing as Result of Flood

Vancouver, Oct. 30.—Twenty-three persons are known to be dead, 12 and perhaps more are missing, and 15 are nursing serious injuries as a result of the disastrous flood which plunged down a steep mountain-side Friday night and transformed the model copper mining settlement of Britannia Beach into a scene of desolation and ruin.

Fully half of the 110 neat, freshly painted cottages were carried away on the crest of the flood. Others were smashed to pieces by the force of the on-rushing waters and most of the remainder were still partially submerged tonight.

Four children are dead and ten others are reported to be missing. Ten of the dead and all of the injured were brought to Vancouver last evening on the steamer Capitano. All the injured are expected to recover.

White Man Killed by Negro. Oxford, N. C., Oct. 30.—Roy Aiken was killed at Creedmore, near here, this morning about 2 o'clock by Wiley Perry, negro, while Aiken and several other young men were assisting Chief of Police J. T. Curl, who was attempting arrest the negro for transporting whiskey. Aiken died in 15 minutes after being shot.

The negro ran immediately after the shooting and while a posse is pursuing him no trace of him has been found at 5 o'clock this afternoon.

Negro people are gathering at Creedmore, and feeling is said to be intense.

## Mills Using Current From Alabama

The Lumberton, Dresden and National cotton mill, of Lumberton have been operated at night during the last two weeks, the power used in operating the mills coming from Alabama. As has been stated in The Robesonian, these mills are operated by power furnished by the Yadkin River Power Co. and the low water in the rivers where the power is manufactured has interfered with the furnishing of power for day-light operation.

## Two Cases Smallpox Reported

Two cases of smallpox in one colored family in the Mt. Zion section, Maxton, R. 2, have been reported to Dr. E. R. Hardin, county health officer.

Mrs. Roberta Coble of Laurinburg spent the week-end here visiting at the home of her brother-in-law and sister, Mr. and Mrs. Jno. S. McNeill.

## Daughters Return To Former Method

U. D. C. Will Give Smaller Towns Chance to Entertain Them—Want Member on State Textbook Commission—Muzzy's History Condemned Again—Liberal Subscriptions for Memorial to Admiral Maury.

The annual meeting of the North Carolina division of the Daughters of the Confederacy in session at Winston-Salem since Tuesday, adjourned Friday without deciding a place for the next meeting. The Daughters adopted a resolution to rescind the order of 1920, which calls for entertainment in hotels. It was decided to go back to the old method—that of entertaining the delegates in the homes of the members of the hostess chapter. For this reason no invitations were presented, as the delegates had no instruction from their home chapters.

The reason for deciding to change the plan of entertainment, it was stated, is to allow the smaller towns, which do not have hotel facilities for conventions, to enjoy the privileges of a convention.

Mrs. T. W. Wilson, of Gastonia, president, was presented a grave made from one of the historic cedars in the Salem Moravian graveyard.

A resolution was adopted requesting that the president of the division be made a member of the North Carolina textbook commission.

Many of the chapter reports told of activities in opposition to Muzzy's history in the public schools of the state. Numerous resolutions were adopted by the various chapters and protests were entered concerning the history.

Mrs. Jno. L. Bridgers of Tarboro, division historian, expressed her appreciation of the co-operation given by the chapters throughout the state in collecting historical data of North Carolina and her soldiers in the war. A great volume of valuable data has been collected and is now preserved in three places as a result of the year's activities—the data is in the files of the local chapter sending it, in the files of the state division and copies have also been forwarded for the files of general headquarters.

Within a few minutes after the matter of a memorial to Admiral Matthew Fontaine Maury was presented by Mrs. C. F. Harvey, a total of \$700 was subscribed from the convention floor and assurances were given that other subscriptions will be made soon. Mrs. Harvey is directing a movement among the members of the North Carolina division to raise part of the money required in the erection of a monument to Admiral Maury in Richmond, Va. The United Daughters of the Confederacy asked at the general convention in Asheville last year that a fund be raised for the erection of this monument. Each division in the South will participate in this movement.

January 13, the anniversary of the birth of Admiral Maury, will be observed by the U. D. C. and C. of C. chapters throughout the South this coming year, and requests will be made that the schools hold appropriate exercises at this time.

The movement to erect the monument to Admiral Maury was started at the Asheville convention by Mrs. E. E. Moffitt, formerly of Raleigh, but now of Richmond. The resolution offered was that the Daughters of the Confederacy make creditable contributions to the fund. It has been decided since the convention to raise approximately \$100,000 for this purpose.

The division decided to place a Tar Heel library in Paris in memory of the North Carolina world war veterans who were descendants of Confederate veterans.

Mrs. Henry A. London urged the Daughters to cooperate with the Confederate veterans in the revision of their roster in the various counties. Mrs. London stated that there is absolutely no correct roster in existence today. (Other convention notes will be found on page 3.)

## Fire Burns Over Bed of Mill Pond

Fire raging where water usually abounds would indicate dry weather. This happened last week when the major portion of the Company mill pond, near Barker's church, burned over. Mr. Joe Russ, who lives near by the pond, says he has caught fish where the fire burned last week. The pond is completely dry, the first time Mr. Russ remembers seeing it that way.

Mr. A. L. Lawson of Ornum was a Lumberton visitor Saturday.

## Colored Fair A Decided Success

Exhibits Were a Credit to the Race and the Attendance Was Large.

The second annual colored fair, which closed Friday night, was a decided success, according to the promoters. As was stated in Thursday's Robesonian, the exhibits did not quite equal those of last year in number, but the quality was much better. Several thousand people visited the fair during the four days, Thursday being the record attendance day. Between 4,000 and 5,000 people passed through the gates on that day.

This is one of the few counties in the State where a colored county fair is held, and the colored people are to be commended for the interest taken. The display of farm products, poultry, cattle, hogs, etc., was a credit to the colored race, and showed that many of them are numbered among Robeson's best farmers.

## CHINA'S ADVANCE GUARD ARRIVES FOR CONFERENCE

More Than 90 Members in Party Received by Government Officials at Washington.

Washington, Oct. 30.—China's advance guard to the Washington conference on Pacific and Far Eastern questions, to be held in connection with discussions on limitation of world armament arrived tonight.

The more than 90 members of the party were received by government officials representing the State Department, the army and navy and were given an ovation by the crowds assembled to greet them.

The Chinese delegation was the second official body to reach the national capital in response to President Harding's invitation to participate in the discussion by nine nations of Pacific and far eastern problems. The first Japanese detachment having arrived last Sunday. Others are scheduled to arrive this week and State Department officials charged with responsibility of conference arrangements are confident that each of the national delegations will be organized and ready for work well in advance of the opening session on November 12.

The American delegates will hold their third preparatory session at the State Department tomorrow, and Secretary Hughes, chairman of that group, has indicated that gratifying progress has been made both in study and preparation of important data relating to this government's position and conference treatment of the question it was called to consider.

## Japanese En Route

On board the Japanese special, Oct. 30.—(By Associated Press.)—The special train bearing the Japanese delegation to Washington for the conference on limitation of armaments moved through the hills and mountains of Montana today with everybody in fine humor. Nature could not have presented more beautiful weather as a greeting to the distinguished men from the far east who silently enjoyed the glorious coloring of the great west.

The train is due in Washington Wednesday. Captain H. P. Perrill of Navy, and Col. Leitch of the army are on board as honorary escort.

## OLD HICKORY REUNION WILL BEGIN FRIDAY IN NASHVILLE

Nashville, Tenn., Oct. 30.—General Jacques, commander-in-chief of the Belgian army during the World War, and General John J. Pershing will attend the third annual reunion of the Thirtieth (Old Hickory) division, according to announcement by reunion authorities here tonight.

The convention will be officially opened here Friday morning November 4th by Col. Albert L. Cox, of Raleigh, former commander of the 118th Field Artillery and president of the association. The convention will last two days.

Mr. and Mrs. H. W. Ivey of R. 3, Lumberton, were among the shoppers in town Saturday.

Mrs. M. H. Warwick of R. 2, Fairmont, was among the shoppers in town Saturday.

Mr. and Mrs. F. F. Townsend and two children, little Miss Eunice and Master Robert, of R. 6, Lumberton, were among the visitors in town Saturday.

## COTTON MARKET

Middling cotton is quoted on the local market today at 17 1/4 cents the pound; strict middling 17 3/4 cents.

## BRIEF ITEMS AND LOCAL NEWS

—Mr. W. E. Powell had his right arm broken just above the wrist Thursday when "kicked" by a Ford truck.

—Messrs. W. J. DuBois and J. Pope Stephens returned Friday from a fishing trip down the Little Pee Dee river. They caught an abundance of fish.

—A refreshing rain fell throughout this section yesterday and last night. While it was not a heavy downpour, the fall was sufficient to wet the top of the land.

—Born, Friday, to Mr. and Mrs. S. F. Caldwell, at the Baker sanatorium, a daughter—Mary Elizabeth.

—Mr. D. A. Fore, who moved to Lumberton recently from Bertie county, has opened a cleaning and pressing shop in the McLeod building on West Fourth street.

—Mr. Oscar Britt of the subscription department of The Robesonian will be at Rowland Friday of this week. Persons desiring to subscribe for or renew their subscription to The Robesonian should see him.

—Mrs. Martha L. Lewis and son, Mr. L. Roy Lewis, of Moss Neck, were Lumberton visitors Saturday. They came to see Mr. Eugene Lewis, another son of Mrs. Lewis, who is a patient at the Thompson hospital.

—The two prize pictures, to be given to the grades in school selling the most tickets to the art exhibit to be shown at the high school building November 16-18 are on display in the show window at the Pope drug store.

—License has been issued for the marriage of Mrs. Belle Rosier and Furney Baxley; Elizabeth Gibson and Wm. Francis McMillan; Fan Robertson and Paul Stewart; Cleve Martin and Marshall Newton; Eva Henley and Jas. B. Inman.

—Mr. L. P. Kirk has resigned the position he held for more than two years as book-keeper in the office of the Lumberton, Dresden and Jennings cotton mills to accept a like position at Spray. He left this morning for Spray. He is succeeded here by Mr. T. W. Boyes of Due West, S. C.

—Ghostly figures were familiar sights in automobiles and on the streets Friday night. Taking Halloween by the forelock, as it were. Tonight's the night, and no doubt there will be further merrymaking and ceremonies and charms, to discover future wives and husbands, as per ancient tradition.

—Mr. J. F. Raybon, one of the Confederate veterans from Robeson who attended the annual reunion at Chattanooga, Tenn., last week, reports a great gathering and many sights. He was accompanied to Chattanooga by his granddaughter Miss Much Raybon. The "Vets" were royally entertained, according to Mr. Raybon.

—Concerts and vaudeville, two performances, given at the Pastime theatre Saturday night, were enjoyed by two half-portion audiences that just about would have filled the house for one performance. The band is tip-top and the vaudeville stunts were not bad. No doubt the price of one dollar per kept the house from being filled for each performance.

—Regular meeting of St. Alban's lodge No. 114, A. F. & A. M., Tuesday at 7:30 p. m. Besides the regular routine business a special educational program, conducted by Past Master E. J. Britt, will be rendered. Also a program commemorating the 169th anniversary of George Washington's affiliation with Masonry will be carried out. All members of the local lodge are urged to be present.

Life Sentence for Murder of Husband. Kinston, Oct. 28.—Mrs. Sarah Whitley, 37, will spend the remainder of her life in the state prison for her part in the murder of her husband, William Whitley, prominent Waltonburg farmer, who was shot to death while he slept at a tobacco barn near his farm home on the night of August 5, 1921.

Wright Rouse, elderly negro roustabout and soothsayer, will pay the extreme penalty in the death chamber at the penitentiary January 3. Convicted yesterday he was sentenced today. His was the hand that fired the fatal shot for an empty promise of 500.

Thomas Hayes, one time tenant of the Whitley farm and the woman's confessed lover, will not be tried until the regular December term of Greene county Superior court. Hayes did not, like the others, seek a special term trial.

## Lock Closed to Navigation

Wilmington, Oct. 29.—On account of necessary repairs to Lock No. 2, located at Browns Landing, two miles below Elizabethtown, navigation through this lock will be entirely closed at noon November 2, 1921 for a period of ten days, possibly longer. Upon the re-opening of the lock to navigation, a notice similar to this will be issued.

MILO P. FOX, Major Corps of Engineers, U. S. Army, District Engineer.