

Weather: Fair and Cooler

CITY REVOKES LICENSE OF WATER COMPANY

Will Bring Suit at Once "to Have Contract Cancelled by Judicial Decree and for Other Relief."

Washington, N. C., March 27th, 1913. Washington Light and Water Co., City.

Whereas, on December 11th, 1901, S. S. Spruik, his successors and assigns, were authorized to construct and operate in the town of Washington a plant and system of water works for the purpose of supplying the said town and its inhabitants with a good and sufficient volume and quality of water for public and private uses, as recited in the ordinance then adopted, and

Whereas, the Washington Light & Water Company succeeded in the rights and privileges so granted to the said S. S. Spruik by the ordinance aforesaid, and undertook to assume and perform the obligations and liability thereby imposed, which company is now the owner of a certain plant and property, consisting principally of certain water conduits, mains, pipes and hydrants and a tank used in connection therewith; and

Whereas, the said company has persistently and substantially failed in the performance of its obligations and undertaking to supply the volume and the quality of water required under the ordinance aforesaid, and has forfeited any right or franchise heretofore granted, notwithstanding which the said town and the authorities thereof, are willing and anxious to acquire and use the property of said company at a fair price, and in good faith to observe the spirit of the ordinance heretofore made with representatives of the Water Company;

Resolved, that the following alternative proposition be made to the said Water Company for acceptance or rejection by it on or before April 17th, 1913, at noon; that is to say—

(1) That the sum of Fifty-five Thousand Dollars be paid to the said Water Company for its system of water works and plant connected therewith (being the same property heretofore listed or inventoried and appraised by Colonel Ludlow and Mr. McClintock) upon conveyance thereof, free of all claims and incumbrances to the city, and upon surrender by the Water Company of any alleged contract or franchise it may now have or claim in respect thereto; or

(2) To pay said Water Company, upon like conditions, such sum as may be ascertained by arbitration to be the present cash value of said property (no valuation of less than Fifty Thousand Dollars nor more than Sixty Thousand Dollars therefor to be entertained or considered), which arbitration shall be conclusive on both parties; and in the event such arbitration is agreed to, one of the arbitrators shall be selected by the city, one by the Water Company and the third shall choose a third arbitrator to be selected and chosen shall appraise and report the present cash value of the physical property of the Water Company aforesaid and make their award therefor within the minimum of Fifty Thousand Dollars and maximum of Sixty Thousand Dollars.

Resolved, further, that acceptance by the Water Company of either proposition and compliance therewith by the city shall be condition upon the result of an election, to be called under the act ratified February 22nd, 1913, authorizing a bond issue for certain purposes therein recited, and also conditional upon the sale of the bonds in case such election is carried.

Resolved, further, that the proposition herein made shall be without prejudice to the rights of the city in case the Water Company fails or neglects to accept the same on or before April 7th, 1913, at noon, and in case of non-acceptance, the city reserves the right to take such further action as it may deem proper in the premises.

I wish to add, for the Board of Aldermen and myself that the foregoing resolution was passed in the hope of avoiding any litigation or further controversy with your company and in the spirit of fairness. The Board will meet on the first Monday night

Yours very truly, COLLEEN H. HARDING, Mayor.

A copy of the foregoing resolution was forwarded to Mr. W. A. Wilcox, secretary of the Washington Light & Water Co. at Scranton, Pennsylvania, by registered mail on March 25th, 1913, and a return receipt showing date of delivery to be 3-21-1913, signed W. A. Wilcox by Harold Deane, addressee's agent, was received by the Mayor on April 2nd. Another copy of the aforesaid resolution was handed by the Mayor to Mr. J. T. Bland, superintendent of the Washington Light & Water Company.

At the regular meeting on the night of April 7th, 1913, the Mayor reported that he had received no further communication from the Water & Light Company and Mr. Bland, who was in the city hall stated that he had received no communication from his company to transmit to the Board.

The Board thereupon passed the following resolution: "Whereas, on December 11, 1901, the Town of Washington granted to S. S. Spruik, his successors and assigns, a license and right to construct and maintain in the Town of Washington a system of water works for supplying the town and the inhabitants thereof with water for public and private uses, and to use the streets, alleys, sidewalks, and the public grounds of Washington without its consent and return moneys to the purpose of laying pipes, mains and other conduits, erecting hydrants and other structures and devices requisite and convenient for furnishing a supply of water to the said Town of Washington and its inhabitants; and

Whereas, in consideration of the aforesaid grant the said S. S. Spruik, his associates and successors, agreed to furnish a supply of water to be free from sewerage or other contamination, and to be clear in appearance, and by thorough analysis to show a water at all times suitable for all domestic purposes, and for drinking and cooking purposes, and a constant water pressure equal to fifty pounds per inch for ordinary service, which upon the occasion of fire, should be increased by means of suitable pumps to seventy-five pounds per inch; and the pumping machinery fully guaranteed to discharge four one inch nozzles streams, using fifty feet of 2 1/2 inch rubber hose, taken from four separate hydrants located in the business part of the city, to a height of 100 feet, or its equivalent in pressure from the mouth of said hydrants, and to furnish said streams any length of time required; and

Whereas, The Washington Light & Water Company is a duly organized corporation under the laws of North Carolina, and as such is and has been in the construction of the aforesaid waterworks system in accordance with the ordinance aforesaid; and

Whereas, the City of Washington, N. C., has sought and endeavored by way of compromise or arbitration to acquire the ownership of said Water Company and thereby to avoid compliance with the ordinance aforesaid, but its proposals to that end have been ignored by said Water Company;

NOW THEREFORE, THE BOARD OF ALDERMEN of the City of Washington, N. C., find as a fact that the said Washington Light & Water Company has continuously, for more than two years past, and without excuse failed and refused to perform its contract with the said city, in that it has failed and refused to furnish to the City and the inhabitants thereof water suitable for domestic purposes, and for drinking and cooking purposes, and free from sewerage and other contamination; and on the other hand the said Company has and continues to furnish to the said town and its inhabitants polluted water, dangerous for drinking purposes and domestic use; and that the said Company has failed and refused and continues to fail and refuse to furnish an adequate quantity of water to the said town and its inhabitants; and

That this act shall be and remain in effect from and after its passage. This the 28th day of April, 1913. W. C. AYERS, City Clerk.

NEW FIRE TRUCK IS VOTED BY ALDERMEN

The Board of Aldermen at their meeting last evening in the town hall voted to purchase a new fire truck at a cost of \$6,000 for the local volunteer fire company.

This action was taken after an investigation the result of which showed that the present fire equipment was insufficient and that \$6,000 was a reasonable price to pay for a fire truck.

MISS EMMETT AND MISS NICHOLSON TAKE PART IN PLAY. At the annual concert of the Salem College Glee Club in Winston-Salem, Miss Katie Eborn of Bath and Miss Carlotta Nicholson of Washington were members of the cast who presented an amusing farce in one act entitled "Gone Abroad." Both young ladies are members of the Salem College Dramatic Club.

UNCALLED FOR LETTERS.

List of letters remaining uncalled for in the office for the week ending April 6th, 1913:

Mr. Floyd Brick, Col. Peter Burris, E. C. Cooper, Jas. H. Clark, C. C. Claggott, Herbert Leary, Forest W. M. Fortt, C. G. Gorman, Luan Grimes, Joe Heune, Alfred E. Homea, W. Chas. Heltmuller, O. J. Johnson, S. E. Lloyd, F. E. Maule, Mr. Colored Vandeville, Lewis E. Paul, Haze Friede, Frank Pappin, Lena Pearl, M. T. Scandian, Champ Shields, John Spry, S. S. Thompson, Edward Wilder, Edd. White.

Women—Janie Bouik, Mrs. D. B. Bowman, Miss Ella Edwards, Mollie Elam (colored), Miss Rolly Gills, Mrs. Esther C. Lowe, Miss Flossie Mitchell, Mrs. Phil Nelson, Mrs. G. A. Powell, Miss Addie Raine (77), Mrs. Sarah Ramsey, Miss Annie Ramsey, Mrs. Frontie Sprull, Miss Annie Streetor, Ellen Whitfield, Mrs. Sarah Whitaker, Louise Wilkins, Mrs. J. W. Wason, Dianah Wason. These letters will be sent to the dead letter office April 21st, 1913, if not delivered before. In calling for the above, please say "advertised" giving date of lat.

HUGH PAUL, P. M.

acted to furnish, and on account of the failure of the said Company to furnish said water for fire purposes, the property of the citizens and taxpayers of Washington is at all times in jeopardy and great danger; that the said City of Washington has, from time to time, notified the said Company of its failure to furnish the proper quality and quantity of water, and the State Board of Health has on more than one occasion informed said Water Company that it was furnishing dangerous and polluted water, and the said Company has continued to furnish said water from the same source of supply, which is located in the center of said City, and from which source, the Board of Aldermen are of the opinion that a wholesome supply of water cannot be had, and so find as a fact:

Upon the foregoing findings of facts, The Board of Aldermen of the City of Washington, N. C. in regular session assembled on the 7th day of April, 1913, do enact:

1. That the license granted to S. S. Spruik, his associates and successors, by the Town of Washington on December 11, 1901, and all rights and privileges connected therewith, and all contracts entered into by the said S. S. Spruik, his associates and successors on the part of the City of Washington, N. C., and all other ordinances granting to them any franchise or rights, be and the same are hereby revoked and cancelled.

2. All proposals heretofore made by the City to the Water Company for the purchase of the plant of said Company and for the arbitration of the price to be paid for same be and the same are hereby withdrawn.

3. It is further ordered that the City Attorney is hereby authorized and directed to commence suit at once in the name of the City of Washington, N. C. against the Washington Light and Water Company to have the said license and contract cancelled and revoked by judicial decree and for such other relief as may be proper in the premises.

PRACTICE UNDER WAY IN EARNEST FOR SHOW

There are many prospects in the coming production of the great Hippobromus show, "Hippobromus" which is rehearsing at the school auditorium every afternoon and night during the week. The musical part of the show will be exceptionally fine and there will be a host of people in the different parts. We are printing a list of those who will take the principal part in the show, but besides these, there will be many more in the various singing and dancing groups.

Mr. Ben Taylor will be the principal comedian in the show. He takes the Dutch Professor's part, and will be assisted by Huggan Carrow, who will do the black-face comedy. These two alone in their funny stunts ought to fill the auditorium. Miss Ad Rhodes will surely make you laugh as "Elsie" the green country girl who has just come to town and who believes in woman's suffrage. Her lines are constructed to make the audience merry and her costume and head gear is something that should be seen to be appreciated. Miss Kate Brazaw is the leading lady, who will sing a number of patter songs and will play opposite to Mr. E. H. Harding, who is the juvenile lead in the performance. Much is expected from both of these young people.

Miss Beattie Conely will appear in two different songs and Miss Alice McCollers will assume the part of the princess of the college which is a speaking part only. Miss Nina Rhodes and Miss Houghton will be the Indian Princess and the Japanese maiden "F. F." respectively. Both of these young ladies are well known as having talent and we are looking forward to an agreeable surprise from them.

W. B. Harding will be the Senator from Pennsylvania in the play and Bravard Stephenson will take the character part of "Phil," an eccentric old man. James Fowle will imitate Lewis Morrison in his part of the "Mighty" or "The Death" or "The King of the Mountains." He will also sing a Japanese love song and play the part of "Ki Ki" doing a funny dance.

Miss Sallie Carrow will be seen as the leader of the Banjo Girls. There will be twenty of the prettiest girls of the city in this dancing act. They sing a very pretty serenading number and their dancing will be a feature of the performance. Miss Helen Shaw will be the only young lady in the entertainment who will dance a solo. This one dance is spoken of as being the acme of grace and rhythm, and will win for Miss Helen many more to her already long list of admirers.

Little Mary Rhodes will take the part of "Inez" and will sing the only child's solo, that of the "Grandpa" song, while Mr. Hughes will sing the Big Captain's song and act the part of the captain of the Iowa. Mrs. Barnes will officiate at the piano, which guarantees that the music will be the best that can be secured. Mrs. Barnes is devoting most of her time to the rehearsals and is tireless in her efforts to make the play an artistic success.

The funny policemen in Slumberland are John C. Tayloe, Charlie Meekins and Hubert Ellis.

TOBACCO MEN REPORT GOOD PROGRESS

The Chamber of Commerce met in regular session last evening, and discussed several matters brought before it. The attendance was not nearly so good as on the night before, perhaps because the one night before last was a special meeting.

Capt. Leach of the tobacco subscription committee reported that the committee had brought the total up to \$1,035 towards the \$11,000 goal. This committee, said Capt. Leach, has by no means finished its work yet.

Mr. George Hackney reported upon behalf of the road committee that while at first the plan had been to have the leading men of each precinct meet with the Board of County Commissioners to discuss the calling of an election upon the proposed good roads bond issue, that the final decision of the committee was to take no action until next fall.

Mr. Hackney recommended upon behalf of the road committee that the Aldermen be requested to resurface the Mitchell streets. The streets were laid out at a bargain, the cost being only \$1.00 a yard, while New Leno had to pay more for the same streets. The company told the city when the Mitchell was laid out that it would need resurfacing, stating that after the first resurfacing, the streets would last some years without again resurfacing. In other words, the company frankly said that the streets would need attention.

Mr. Hackney's report was received and a fitting resolution adopted unanimously. The point was brought up that the bricks used for paving should be replaced where they had sunk down.

Secretary C. A. Flynn read a letter from the secretary of the Commercial Club of Salisbury asking the co-operation of the Washington Chamber of Commerce in an endeavor to secure exemption from taxation for new industries, after the manner of many States of the Union. Governor Craig, the letter stated, had declared the Constitution must be amended to make legislation to this effect possible.

Capt. Leach asserted that the contemplated change was a progressive step. "We do our utmost to bring capital to the State," he declared, "and yet we lack the primary inducement, which many other States have."

A letter was read from the North Carolina Chamber of Commerce in respect to the project of the Southern Commercial Congress to study the co-operative system of credit, as employed in European countries. A resolution was passed that the Chamber was in hearty accord with the plans detailed, and was willing to send a representative if so desired to confer upon the subject.

It was moved and carried that President C. M. Brown appoint a committee during the week for the entertainment of Secretary of the Navy Josephus Daniels during his visit to Washington, his birthplace, upon May 19th.

The birthday of Secretary Daniels falls upon May 18. This being Sunday, he has agreed to come upon the day after, in response to a gracious and happily worded request from Congressman Small, who made the point that since it was customary to celebrate the birthdays of Washington, Lee, Lincoln, and our other great men upon the following Monday, when their natal day happened to fall upon Sunday, he thought there was ample precedent for so observing the birthday of North Carolina's fifth Secretary of the Navy.

APRIL 9 IN HISTORY.

- 1621—Treaty of Leipzig.
1850—Aaron Burr arrived at Blennerhassett's Island, in the Ohio River.
1865—General Lee surrendered to General Grant at Appomattox Court House, Va., ending the Civil War.
1874—Maur Halstead arrested in Cincinnati for publishing a lottery ad in his newspaper.
1909—Payne tariff bill passed the House of Representatives.
1911—Chinese Government negotiating for big loan from Western Powers.
1912—Suffragettes smash windows of London shops and alarm merchants.

TARBORO HIGH SCHOOL TO MEET WASHINGTON

Friday at 3:30 the Washington High School baseball team will cross bats with the Tarboro High School team on the home diamond. The Tarboro team has won some games this season and are confident of victory, while our boys are equally confident of the laurels.

Washington has played but two games this season—one with Elizabeth City, which she won, and one with Greenville, which she lost. Since losing this game with Greenville, the boys have been working hard, and are in fine shape. They were last Friday given your support to these boys.

The line-ups are as follows: W. H. S.—S. Fowle c, J. Fowle p, Moore (cap) 1b, Hodges 2b, Fulford 3b, J. Weston 3b, Howard lf, E. Weston cf, Smith rf.

T. H. S.—Hodges c, Britt p, Davis 1b, Mallet 2b, Vines 3b, Jno. Pender 3b, Barlow lf, Jack Pender cf, Harris rf.

Substitutes for Washington—Tayloe, Hudnell, Harris, Jonea.

SHIPPING NEWS

The Arcadia of South Creek, Capt. J. C. Henries, is still in port with a cargo of country produce, and will be laden with general merchandise on the return trip.

The Dependent of Bath, Capt. J. R. Donner, is in port discharging a cargo of country produce preparatory to taking on one of general merchandise.

The William T. Parker of Philadelphia, Capt. Howard, is still in port. The Larnie of Philadelphia, owned by Charles Grace, Capt. Windsor having discharged her cargo of fertilizer, from Baltimore, is now at the Kugler Lumber Co. plant, taking on a load of lumber.

The Cocle of Lynchville—Capt. Rice is in port today.

The Victor of Raleigh—Capt. J. R. Pugh, is here today.

The J. P. Morris of Concord, Capt. George N. Sailer, is in port today.

The usual number of oyster boats are offering oysters for sale at the foot of Market street.

The Relief of Ocracoke, Capt. W. D. Ballance, left yesterday afternoon.

The Rebecca Bell of Swan Quarter, Capt. G. R. Mullin, left this port yesterday.

The Lucile of Lake Landing, Capt. Silve, was here yesterday.

The barge Myrtle of Washington, owned by J. D. Armstrong, is now lying in port.

RESOLUTION.

Whereas, it has become our painful duty to forever erase from our roll, one of our most beloved and faithful firemen, whose sad death we deplore, and

Whereas, our Heavenly Father for his own glory, saw fit to take him from our midst, and whose mysterious ways are past finding out, and

Whereas, we his comrades and firemen desiring to pause and unite in expressing our sorrowful regret in the departure of our fireman and comrade:

Resolve, that in his absence here we cherish a loving memory of our comrade, whose faithful service and paternal advice is perpetuated in our hearts; be it further

Resolved, that we submit to the will of God, who loves him best; that we know he is now receiving his blessed reward for his noble and manly services rendered while with us on this earth; that God will bless and comfort his surviving posterity and that they may see his loving footsteps on the sands of time, as a memento and guidance to the eternal heritage and happiness; be it further

Resolved, that a copy of these resolutions be spread upon our minutes, a copy published in the paper, and a copy sent to his bereaved family.

Respectfully submitted, J. J. JOHNSTON, J. D. PRINGLE, J. A. ALLGOOD.

HARRY McILHENNY IS GETTING ALONG NICELY.

The friends and playmates of Master Harry McIlhenney, the eight-year son of Mrs. McIlhenney of the J. K. Lloyd millinery department, will be glad to hear that he is steadily improving.

The little fellow fell while playing a few days ago, and sustained a painful cut upon the head.

Mr. W. A. Brume of Rocky Mount is in the city.

WOMAN WALLOPED WITH OWN WEAPON

Peter Moore, colored, was this morning fined ten dollars and costs for assaulting "Tom" Chase, colored, with a rolling pin. Peter is a porter in the Washington Hospital, while Tom is a chamber maid in the same institution.

Will Burnett, colored, was bound over to Superior Court for robbing J. J. Swanner's store at Old Ford of goods to the value of \$127.50. The robbery was effected Wednesday night, and he was caught by Sheriff Ricks in Plymouth Sunday. Burnett is an old offender, and he seems to have a particular "penchant" for burglarizing Mr. Swanner's store, he having received a heavy sentence recently for breaking into this same store.

The evidence against him was conclusive, several witnesses swearing that they saw him with articles of various descriptions missed from the store.

For retelling, this same negro was given six months, and for breaking away from the chain gang two months, making eight months in all, and he yet remains to be tried for larceny.

Burnett faces a long period of service on the road, and judging from the past, he will shortly endeavor to break away and commit more crimes, thus adding still more to the length of his combined sentences.

CAPT. LOVELACE HERE; WILL RUN WAREHOUSE

Capt. John P. Lovelace of Wilson has arrived in the city, as he expresses it, "to be one of our people." He is one of the best known tobacco men in this entire section, and has a long record of successful management behind him. The following, taken from the Wilson Times, shows how Capt. Lovelace is regarded in that place, where he managed a warehouse last year:

Captain Lovelace to Washington. "The Washington Warehouse company has secured Capt. John P. Lovelace of this city to manage their new tobacco warehouse which will be in operation in Washington, N. C., this coming season. Captain Lovelace is an excellent judge of tobacco, a man of strong personality, honest and honorable in his dealings and we bespeak for him great success. He is one of the old regime of tobacco men who helped to make Wilson famous as a tobacco market."

TODAY'S BIRTH HONORS. Congressman J. T. Heffin of Alabama, whose astic encounters and ouer disputes have brought him into prominence from time to time at Washington, was born at Louisiana, Ala., April 9, 1859. He was educated in the common schools of Randolph county, at the Southern University, and at the A. and M. College, Auburn, Ala.; studied law at the University of Alabama, and was admitted to the bar January 12, 1893; was married to Minnie Kate Schuessler, of Lafayette, Ala., December 18, 1895; and has one child living—J. Thomas Heffin, born at Washington, D. C., and elected mayor of Lafayette March 16, 1898 and re-elected in 1900; was elected to the Alabama State executive committee from 1896 to 1902; was a delegate in the constitutional convention of Alabama in 1901; was elected secretary of State in November, 1904, for a term of four years; resigned the office May 1, 1904; was elected, without opposition, May 10, 1904, to fill the unexpired term of Hon. Charles W. Thompson, deceased, in the Fifty-eighth Congress; also elected to the Fifty-ninth, Sixtieth, Sixty-first and Sixty-second Congresses and re-elected to the Sixty-third Congress.

PICKNIC OF CHARITABLE BROTHERHOOD LODGE NO. 1. A picnic will be given tomorrow by Lodge No. 1 of the Charitable Brotherhood. This will mark the twenty-first anniversary of the lodge, and the members and their families are looking forward to a glorious celebration.

Time is Money— Don't Burn Time

When you hear of some one burning his money you know the person spoken of is wasteful.

When you do your shopping do you burn your time? You do waste a fearful lot of it unless you plan your shopping ahead.

Let the advertiser columns of The Daily News be your shopping directory. You will find a time-saving answer there every day to all your shopping problems.

Don't go aimlessly from store to store. Make a note of the interesting things announced by the reputable merchants who seek your patronage through The Daily News. And if you are sure what you want let the advertisements offer suggestions.

Remember that the daily advertisements in this newspaper represent a service rendered by the merchant to the customer. Use this service to your best advantage.