

WEATHER

Generally fair tonight and Wednesday. Little change in temperature. Gentle variable winds.

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ELIZABETH CITY, NORTH CAROLINA, TUESDAY EVENING, SEPTEMBER 5, 1922

FOUR PAGES

NO. 211

City Courts Legal Action On Part Of Mr. Crook

In Effect Invites Him To Go Ahead With Legal Proceedings Which He Threatens And Have Done With So Much Note Writing—Nothing Short Of Order Of Court Will Halt Plans For New Utility Plants

The City Council is weary of note writing that is getting no one anywhere; and virtually invites Howard E. Crook, president of the affiliated utility corporations of the city, to proceed with his threatened legal action to fight the construction of new publicly owned utility plants here in a letter from Mayor W. Ben Goodwin, approved by the Council in regular session Monday night and dispatched to Mr. Crook Tuesday.

"We are proceeding with the negotiations for building utilities which will serve and take care of a growing city and only an order of the court will stop us," says Mayor Goodwin in this letter.

The letter follows in full: September 5th, 1922. Elizabeth City Electric Co., Elizabeth City Water & Power Co., Elizabeth City Sewerage Co. Howard E. Crook, President, Elizabeth City, N. C.

Dear Sir—Your letter dated August 30th, 1922, was read to the Board of Aldermen of Elizabeth City at their regular meeting held Monday evening, September 4th, 1922, and I was instructed by the Board, at said meeting, to reiterate what was said in my letter to you of August 26th, viz: "That so far as the Board of Aldermen are concerned the transaction" with respect to the purchase of the properties of the utility companies of Elizabeth City, of which you are president, "is closed."

In the face of a threat to test in the courts the legality and right of the city to build its own utilities, the Board of Aldermen feel that your request that the appraisals of its engineers be turned over to you for examination, is unreasonable and will not be discussed.

Upon the data we have in hand is based the value of the utilities companies holdings to the city. This, we doubt not, is below the valuation placed upon these properties by the owners, but the Board takes the stand that Elizabeth City needs a service far in excess of what the present companies are giving or can give and the amount offered for these properties is made with the desire that a reasonable, fair and just return to you and your associates may be accorded, notwithstanding the city will be getting plants and systems which it will be necessary to rebuild throughout and in large measure discard entirely.

So far as your having been ignored, I have to remind you that the first step in our negotiations was to invite you to appear before the Board and to make a price for the purchase of the entire holdings of your companies. You met with the Board and the nearest you came to stating a price was to say that an offer of three hundred and twenty-five thousand dollars (\$325,000) by a former Board was not accepted; that an offer of four hundred thousand dollars (\$400,000) would have been refused just as readily and estimation of a value around five hundred thousand dollars (\$500,000) was suggested. You would agree to nothing other than a compromise appraisal arrangement and this was not acceptable to the Board.

The Board is not disposed to confiscate private property and does not feel it is doing so when it makes an offer of two hundred and fifty thousand dollars (\$250,000) for the holdings of the utilities companies. As stated in a previous letter, when viewed from the standpoint of capability of efficient and economical operation, this is more than the properties are worth to the city.

Through the operation of up-to-date plants other cities of corresponding size are making a handsome profit and the citizenship thereof are getting service. We have been forced to our present situation, which is deplorable. Our citizens are clamoring for relief and we intend they shall have it.

We are proceeding with the negotiations for building utilities which will serve and take care of a growing city and only an order of court will stop us in these proceedings.

Yours truly, W. BEN GOODWIN, Mayor.

Two bonding ordinances providing separately for funds for a water and light plant on the one hand and for a sewerage plant on the other were submitted by Thompson & Wilson and J. B. Leigh, but the amount

LABOR DAY MAKES LULL IN STRIKE

Impending Court Action For Alleged Violations Of Federal Injunctions In Fore

Chicago, Sept. 5 (By The Associated Press)—With the Government's rail strike injunction universally condemned by union leaders in Labor Day addresses, impending Federal Court action in cases growing out of arrests for alleged violations of the writ occupied are in the foreground in the industrial situation today.

The holiday yesterday brought a lull in strike developments.

HINTON RESUMES FLIGHT

Key West, Sept. 5 (By The Associated Press)—Lieutenant Walter Hinton and his companions resumed their New York-Rio Janeiro flight from here today at noon.

MORRIS MADE CHAIRMAN

J. J. Morris of Weeville was elected chairman of the County Highway Commission at its regular meeting Tuesday morning, J. Wesley Foreman, made chairman on the resignation of A. B. Houtz about two months ago, having tendered his resignation.

The Pasquotank Highway Commission is now composed of J. J. Morris, O. L. Bundy, J. W. Foreman, A. E. Jones and F. F. Cohoon. Successors to A. B. Houtz and O. F. Gilbert have not yet been appointed, though the County Commissioners recommended the appointment of N. S. Leary and J. T. Byrum at its August meeting.

NEWLAND SCHOOL LEVY INCREASED 10 CENTS

At the request of the County Board of Education the Newland school tax levy was increased from 20 to 30 cents by the Board of County Commissioners in regular session Monday. The thirty cent levy was authorized by popular vote when the Newland High School was first contemplated, but heretofore a 20 cent levy has been deemed sufficient to run the school on.

YOUTH HELD FOR KILLING GUARDS

Alken, S. C., Sept. 5 (By The Associated Press)—Irwin Williams, 16, son of a former Southern Railway shop employee at Augusta, is held here in connection with the killing of two railway guards at Bamburgh last Wednesday. Z. L. Davis and C. L. Deal are also held.

BISHOP FALLOWS DEAD

Chicago, Sept. 5 (By The Associated Press)—Bishop Fallows, head of the Reformed Episcopal church, died at 4:30 o'clock this morning.

NO POLLUTION NOW

The city water now shows no pollution and is fit for drinking, the City Health Officer reported Monday night at the meeting of the City Council.

GOOD PROGRAM TONIGHT

At eight o'clock tonight the Men's Bible Class of Calvary Baptist church will present a program which is intended to help further the work for a greater Sunday school. Members of other schools are cordially invited.

of the respective bond issues, the rate of interest, the date of maturity and other such details were left in blank to be filled in by the Council. The finance committee of the Council is at work on these details now, and will submit its recommendations to an adjourned meeting of the Council to be held in the City Auditor's office over the First & Citizens National Bank Tuesday evening.

Two bonding ordinances instead of one were submitted in order to be sure to meet the requirements of the State law in the matter, it was stated.

Mrs. Mallory Beats Marvel



Mrs. Mollie Mallory who successfully defended her title as national women's tennis champion by defeating Miss Helen Wills, the sixteen year old California girl in straight sets at Forest Hills. Miss Wills made a gallant fight but was obviously nervous and was forced to bow to the veteran player.

Falls Says Weevil Is Surely Coming

Again comes the boll weevil to the front and this time on the authority of County Agricultural Agent G. W. Falls. "The boll weevil is slowly but surely closing in on us," says Mr. Falls. "In a few years the production of cotton will be below 50 per cent of the normal crop. Excessive cost in cultivation and harvesting will not allow the economic production of cotton." Mr. Falls here hesitated to let that statement sink in. "Then what," asked an Advance reporter. "Why people will have to turn to some other source of income as an antidote to these conditions," answered Mr. Falls, "and I can see but one pabacea. This is a combination of swine, cattle and poultry. When this time comes," he continued, "there will be no uncertainty in the cure and it is to the interest of every farmer to fortify himself for the period of cotton depression that must surely come."

With these things in view, Mr. Falls, many months ago, formulated a plan for improving the quality of cattle in Pasquotank County. Out of this comes the report from him that he has just purchased from the Vanderbilt Farms, at Blittmore, a registered bull for W. B. Copper-smith of Nixonton township.

It is Mr. Falls' idea to have in each township in the County a pure bred bull that service may be had by the farmers with slight inconvenience to them.

The dam of the bull procured by Mr. Copper-smith produced last year 11,496 pounds of milk and 675.67 pounds of butter fat.

In speaking of his purchase, Mr. Falls said, "it will be impossible to have maximum production of dairy products with scrub cattle, pine rooters and jim crows. It is therefore essential that we procure standard breeds to insure success."

Mr. Copper-smith's bull is pronounced by Mr. Falls to be the finest specimen of the breed ever brought to Pasquotank County.

Seeks Check Against Illegal Injunctions

Washington, Sept. 5 (By The Associated Press)—Any officer of the Government who issues or causes to be issued "any illegal injunction not in good faith and with wilful intent" of depriving a person of his rights or of intimidating him will be held to have committed a misdemeanor in office under a bill introduced today by Representative Huddleston of Alabama.

Sutherland Made Associate Justice

Washington, Sept. 5 (By The Associated Press)—The President today nominated former Senator George Sutherland of Utah to be associate justice of the Supreme court. The Senate at once confirmed the nomination in open executive session.

Miners Signalled Twice Last Night

Jackson, Cal., Sept. 5 (By Associated Press)—The miners entombed in Argonaut gold mine since a week ago last Sunday night signalled twice last night to rescuers tunneling from Kennedy mine, Robert Lightner, one of the rescuers said today.

WIFE OF 18 AND SISTER ABDUCTED

Miami, Fla., Sept. 5 (By The Associated Press)—Sheriff Allen of this city was notified today to watch for Mrs. J. Garnett Starr, aged 19, and her sister, Valeria Lamar, aged 15, alleged to have been abducted last week from their home in Macon, Georgia, by H. C. Graham.

LaFollette Up Before Wisconsin Voters Now

Milwaukee, Sept. 5 (By The Associated Press)—Wisconsin voters today are determining in a primary election their candidates for a ticket including a senator, congressman and state legislative offices. Interest is centered in the race of Senator LaFollette for renomination. He is opposed by William A. Gansfield, who heads the Citizens Republican wing.

CONFIDENT ABOUT ANTHRACITE COAL

Washington, Sept. 5 (By The Associated Press)—Confidence that the agreement reached in Philadelphia Saturday night would be ratified by the Anthracite Miners Convention in Wilkes-Barre was expressed today by Senator Reed of Pennsylvania in a conference with President Harding.

FORTY ENTOMBED IN ENGLAND MINE

New Castle, England, Sept. 5 (By The Associated Press)—Forty men were entombed through an explosion in a coal pit at White Haven this morning, the Evening Chronicle states.

IMPOSE LICENSE TAX

A license tax of \$20 per annum on gas stations was imposed by the City Council at the regular monthly meeting Monday night.

Modernly Equipped Dairy In Immediate Prospect

Milk Wagon Expected To Be Threading Streets Supplying People Of This City With Aerated And Tuberculin Tested Milk Before Last Of October It Is Now Indicated

After many years of wondering why it hasn't had it, Elizabeth City is about to have a modernly appointed and equipped dairy, and it is expected that by October 15th there will be an up-to-date milk wagon threading its way through Elizabeth City streets and supplying Elizabeth City with aerated and tuberculin tested milk.

In other words, the Oakdale Dairy will soon be in operation. There are two things that predominate among others in the building of any successful business. They are vision and capability. That combination is happily formed in the partnership of Dr. C. D. Bell of this city and A. R. Root of the North, West and Virginia.

Mr. Root has spent a lifetime among dairy cows and since attaining manhood has specialized in the production of dairy products. In conversation with a reporter for this newspaper today Mr. Root said, "In all my experience in the dairy business throughout most of the United States east of the Mississippi River, I have never seen a combination of conditions so favorable to dairy farming, as in Eastern North Carolina. For instance," he continued, "when I was in Wisconsin, I fed to my cows daily concentrates of which 30 per cent were cotton seed meal."

When asked about the consumption of all the milk he produced in the West, Mr. Root answered, "I have no doubt that after your farmers here had paid transportation and brokerage charges on that cotton seed meal to the West it was returned to you and sold to the same farmers in the form of condensed milk, evaporated cream, milk chocolate, malted milk and various other canned products of the dairy, at an enormous profit, plus carrying charges."

"Just as other things," continued Mr. Root, "including your people, are healthier in Eastern North Carolina than in other places, so will your cattle be, under the proper care and management."

"You have ideal conditions here except in very low places, for the raising of alfalfa, than which there is no finer hay for cattle. Soja beans, one of the finest land improvers and at the same time an excellent hay, thrives as it does nowhere else, while the cotton seed meal, conceded to be one of the greatest concentrates known, is a native of this section."

"The day may come," continued Mr. Root, when the economic production of cotton may be carried on in an exact controversy of present principals and the cotton become a by-product of the seed.

"Moreover," Mr. Root pointed out, "the season of grazing is long and the clover grasses grow thick and plentiful. Why it is ideal," he concluded, "and throughout all the places I have ever been, I have never before seen a town this size without at least two dairies."

The cooling and supplying room of the Oakdale Dairy will occupy a building 38 by 120 feet. They will start with from 40 to 50 cows of standard stock and will gradually, by the use of registered bulls, breed into pure bred cattle.

The cattle, bought in another state, will come here lately tuberculin tested with the privilege of re-test within 90 days after arrival. They will then be placed under the supervision of Government inspection and tuberculin tests will be taken of the herd at least once each year.

The creamery is capable of handling upwards of 150 gallons per day. Two grades of cream will be served to the trade. The first grade is "whipping cream," running about 30 per cent butter fat. The second grade, or "table cream" will contain from 15 to 18 per cent butter fat.

The dairy will be fitted with modern equipment, including a continuous tube separator and cooler. The milk is chilled as soon as possible after coming from the cow. There are very good reasons for this. The bacteria of decomposition are very active in milk when it leaves the udder. It thrives only when warm. In bringing the milk to a temperature of 50 degrees, the activity of the bacteria is delayed and a wholesome milk that will keep for long periods is attained.

The barn will be absolutely up-to-date, properly drained with steel stalls and stanchions made by the

Say Kerr's Charge Was Good Sermon

Curruckians Impressed By Judge's Plea For Substantial Virtues And Warning To Lawbreakers

Curruck, Sept. 5.—A charge to the jury that was characterized by many as "a mighty good sermon" by Presiding Judge John Kerr opened proceedings of the fall term of Superior Court here Monday. Judge Kerr gave a fair warning to whiskey makers and pistol toters.

"You might get by with a fifty dollar fine on first offense," he said, "but if you are caught the second time you may as well get ready to kiss your family good bye."

After the jury had been empanelled Judge Kerr invited the members to shed their coats and to otherwise make themselves comfortable before he began his charge.

"The world is now looking for human efficiency" the jury was told. "For this standard to be reached man must be intellectual—the masses must be educated; our citizenship must be physically fit, and it must have a high moral standard—must be spiritually minded."

"Public sentiment is the monarch of this Government that you and I love. No officer of the law can enforce its statutes when public sentiment smiles at the acts of law breakers."

"A majority of the voters of America have decreed that it is unlawful to manufacture whiskey for beverage purposes. This law is written into our constitution and we owe it to our Government to use every means within our power to uphold this statute."

"Man's first duty after all in this world is to look after the well being of his fellow man. Remember the words of the Great Teacher, 'Another commandment give I unto you; that you love one another as I have loved you.'"

Judge Kerr also took occasion to congratulate Curruck county on the fact that "you make your own board on the soil that you till. You may have years of bad prices but year in and year out the farmer of Curruck county is far better off financially than the average farmer in North Carolina."

Court did not convene until 11:30 and the morning session was taken up with the charge of the judge and the impaneling of the jury. Not a single case was tried in the afternoon though several cases were brought up and continued until next court by reason of the absence of witnesses.

Making Progress On Coast To Coast Flight

San Antonio, Texas, Sept. 5 (By The Associated Press)—Lieutenant James H. Doolittle landed here at 7:10 this morning on his one-stop flight from coast to coast and left again for San Diego at 8:23.

Lieutenant Doolittle started from Jacksonville at three minutes after ten o'clock last night.

Vardaman And Stevens In Run-Off Primary

Jackson, Miss., Sept. 5 (By The Associated Press)—Voters of the state today are registering their choice between former Senator James K. Vardaman and former Congressman Hubert D. Stevens in a second primary for nomination to the Senate to succeed John Sharp Williams, who retires next March.

REFUSE TO SIDETRACK TARIFF FOR BONUS BILL

Washington, Sept. 5 (By The Associated Press)—By a vote of five to three Senate and House conferees today refused to sidetrack the tariff bill for the soldier bonus measure.

James Manufacturing Company, at Fort Atkinson, Wisconsin. When asked about visitors Mr. Root stated that they were always welcome and if they wished they could always bring along their little hydrometer and test the milk at any time that they desired.