

WEATHER
 Fair and colder tonight and Saturday. Moderate to fresh west shifting to north winds.

The Daily Advance

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Public Utilities Take Case To Federal Court

ACTION BROUGHT IN NAME OF ELECTRIC LIGHT BOND HOLDERS

Complaint Filed Friday Morning At Half Past Ten O'clock With Clerk Of Federal Court Institutes Action Seeking Restrain City From Issuing Utility Bonds Or Constructing Municipally Owned Plants

Friday morning, December 15, at 10:30 o'clock, the affiliated utility companies of Elizabeth City, having according to their contention exhausted all practicable means of coming to terms with the City Council on the question of the value of their plants and properties, fired the opening gun of their fight to prevent the city from practically putting them out of business by the erection of new and municipally owned and operated utility plants when a suit was instituted in the United States court here to enjoin the city from issuing utility bonds and from constructing utility plants.

The suit is brought in the name of John T. Hill, Howard E. Crook and Elizabeth Evans, of Baltimore, the Safe Deposit and Trust Company of Baltimore and the Baltimore Trust Company, all holders of bonds of the Electric Light Company of Elizabeth City, Mr. Hill to the amount of \$12,000, Mrs. Evans and Mr. Crook to the amount of \$6,000 each, the Safe Deposit and Trust Company of Baltimore to the amount of \$50,000, and the Baltimore Trust Company to the amount of \$5,000. Complaint in the action was filed with the clerk of the Federal court here Friday morning at ten o'clock.

The action is brought against the Corporation of Elizabeth City, W. Ben Goodwin, Mayor, and Patrick H. Williams, Lemuel R. Foreman, Louis W. Anderson, Caleb W. Stevens, Philip C. Cohoon, Warren J. Jennette, and William H. Weatherly, members of the Board of Town Aldermen of Elizabeth City. It is a formidable document of more than 28 typewritten pages.

The complaint gives the history of the utility companies now doing business here, recites the details of the controversy between these utility companies on the one hand and the City Council on the other, and attacks the validity of the issue of \$800,000 in bonds, on the ground first, that the utilities proposed are not necessities, especially as to water and power, in view of the fact that adequate water and power utilities are already in existence here; and on the ground, second, that an issue of \$800,000, together with the outstanding indebtedness of the city, would exceed the legal limit for issues of bonds made without the authority of popular vote. And this is not all. To quote from section eleven of the complaint, omitting legal verbiage:

"The ordinances (authorizing the bond issue) and the bond issue itself are illegal, invalid, null and void, for the reason that they dedicate the proceeds to be used for rendering sewer service to the citizens of Elizabeth City free and without charge, water service to the private customers of the three companies and especially of the Electric Light Company, to the customers of the water and electric service within one mile of Elizabeth City outside the city limits, and this with bonds to be paid in taxation on the three companies as well as other tax payers holding property in the city, the bonds being a tax lien on the property of the city.

"The constitution of North Carolina states that no tax shall be levied by a municipality except for the necessary expenses thereof unless by a vote of the majority of the qualified voters therein; and no statute stating that electric light, sewer and water service are necessities can authorize a bond issue and taxation therefor by city ordinance when in point of fact, as here, every customer, public and private, is supplied with service and at rates which are regulated by the Corporation Commission of North Carolina, to which State Commission neither the city nor any citizen of Elizabeth City has ever made complaint about either rates or service.

MORRISON SAYS LAW IS ENFORCED

Tells Governors Not Time Or Place Deal With Prohibition And Ku Klux

White Sulphur Springs, Dec. 15 (By The Associated Press)—Governor Morrison, replying to Governor Parker of Louisiana at the governors' conference here, said that North Carolina enforced the prohibition law and insisted that the conference is no time to ask for a resolution committing the body on either the Ku Klux Klan or prohibition. The state executives today turned from their discussions to the inspection of the coal mines after engaging until after midnight in a flurry of debate on prohibition and the Ku Klux Klan. Governor Morrison of North Carolina opposing consideration of "two of the touchiest" questions before the country.

Death List Stands At Eighteen Today

Houston, Dec. 15 (By The Associated Press)—The death list in the Houston East & West Texas wreck stood at eighteen and the injured at fourteen early today while investigation developed that the switch engine throttle was open when the passenger sideswiped.

Relief Fund Now Fifteen Hundred

Contributions to New Bern Relief reported since Thursday, up to the time this newspaper went to press, totalled \$25.50. The fund gains an additional eight dollars by reason of the fact that the contribution of the D. R. Morgan Company was erroneously reported \$2 Wednesday when as a matter of fact the firm's contribution was \$10. The total of \$25.50 reported since Thursday and the additional eight dollars that was not included in Wednesday's report puts the total of subscriptions above the \$1500 mark.

Here is the list of Friday's subscriptions and the total to date:
 Sound Neck Sunday School \$ 6.25
 Miss Florence Bell 2.00
 N. W. Dalley 5.00
 Cash 2.00
 Pasquotank Bottling Co. ... 5.00
 Error, D. R. Morgan 8.00
 Colored Welfare Committee 5.25
 Previously reported 1471.46
 Total to date \$1504.96

Begin Disbursement Of Billion Dollars

Washington, Dec. 15 (By The Associated Press)—The over-subscription recently announced of the combined offering of treasury notes and certificates was assured as the Treasury today began disbursement of a billion dollars in redemption of victory notes, cancellation of maturing certificates of indebtedness and certain interest payments.

BOX OF MONKEYS IS PLAY TONIGHT

Will Be Lots Of Fun And Proceeds Will Help The Senior Class

All is in readiness for the play to be presented tonight by the Senior Class of the High School, "A Box of Monkeys," is not a new play but one of those old plays which stand the test of time. It is a play replete with wholesome fun and plenty of action. The interest is sustained throughout. The Senior Class is expecting to realize enough from the play to pay off the deficits which exist in the Annual and Library Funds.

Office Days Are Now Mondays And Saturdays

B. B. Bell, clerk of superior court of Currituck county, and J. A. Taylor, register of deeds for that county, have changed their office days at Currituck court house to Mondays and Saturdays instead of Mondays and Fridays.

Continue To Discuss Farming Problems

Washington, Dec. 15 (By The Associated Press)—Group meetings for discussion of co-operative marketing problems by representatives of various associations handling the same commodities followed by another general session devoted to the general subject of co-operative marketing, finance and rural credits legislation formed the program of the second day of the National Council of the Farmers Co-operative Marketing Associations.

Mother And Son Stabbed To Death

New York, Dec. 15 (By The Associated Press)—Mrs. Anna Catolga and her nine-year-old son, Fred, were stabbed to death today and their Coney Island home set fire to in the effort to hide the crime. The police are searching for Adam Catolga, husband and father. Firemen found all the doors and windows locked and a pile of rugs burning close to the bodies.

Funeral Mr. Meekins At Columbia Saturday

The funeral of Jeremiah Charles Meekins will be conducted at Columbia Saturday morning at nine o'clock by Rev. W. B. Savage of Churchland, Virginia. Interment will be made in the family burying ground at Columbia. Mr. Meekins died Friday afternoon at the home of his son, Col. I. M. Meekins, on Main street. The body was taken to Columbia Friday morning on the eleven o'clock train, accompanied by relatives. William Meekins, his grandson, arrives here tonight from Harvard and will go on through to be there for the funeral.

Amundsen Visits Nome By Dog Team

Nome, Alaska, Dec. 15 (By The Associated Press)—Captain Ronald Amundsen arrived here today by dog team from Wainwright, where he is wintering with the airplane in which he hopes in the spring to fly over the North Pole.

Head Greek Church Must Be Removed

Lausanne, Dec. 15 (By The Associated Press)—Turkey insists that the head of the Greek orthodox church be removed from Constantinople.

Bandits Get Pay Roll Of Industrial Plants

Philadelphia, Dec. 15 (By The Associated Press)—Six men in an automobile held up a bank messenger in Darby suburbs today and robbed him of \$20,000 after shooting him in the cheek. The messenger had the payroll for several industrial plants here.

Returns To U. S.



Col. Wm. N. Haskell of the American Relief Administration, photographed on board the S. S. Berengaria upon which he returned for a conference with Herbert Hoover on the subject of the distribution of supplies to millions of Russians.

Says They Attempted Whitewash Daugherty

Washington, Dec. 15 (By The Associated Press)—Representative Keller has quit the hearings on the Daugherty impeachment and is summoned to appear as a witness today. Keller charges the committee with an attempt to whitewash Daugherty.

Washington, Dec. 15 (By The Associated Press)—Representative Keller failed to appear before the House Judiciary Committee today in response to the summons after he refused to participate further in presentation of his impeachment charges against Daugherty.

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Will Be Conducted By Rev. W. B. Savage Of Churchland, Virginia

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AMBASSADOR HARVEY HAS BEEN CALLED BACK TO WASHINGTON

State Department Confirms Announcement But Declines To Explain — Impression Is That Matter Has To Do With German Reparations Situation Which Threatens Rupture Of Britain And France

London, Dec. 15 (By The Associated Press)—Ambassador Harvey has been called home for consultation, it was stated at the American Embassy today. He will not be accompanied by Mrs. Harvey.

DR. POTEAT IS ENDORSED

No One Doubts His Christianity After His Address At Baptist State Convention

Winston-Salem, Dec. 15.—The question of where Meredith College is to be located and proposals by some members that Dr. W. L. Poteat, president of Wake Forest College, be asked to explain his position on science as related to the Bible, appeared to be cleared up Thursday, leaving messengers to the State Baptist Convention ready to go ahead with other work of the organization.

A vote of confidence late Wednesday was given the board of trustees who had obtained an option on land at Method, near Raleigh, for the college, while after Dr. Poteat had delivered the opening address Wednesday night the assemblage joined as one in singing "All Hail the Power of Jesus Name," and no question was raised as to the educator's belief in evolution.

The Baptist ministers' association of Asheville last week had adopted resolutions asking Dr. Poteat to explain to the convention his views on evolution and other Baptists in the State were reported to have been desirous of hearing from him. Many leaders expressed the opinion that the matter was a thing of the past as they were satisfied with Dr. Poteat's position on the subject.

Rev. J. F. Love, corresponding secretary of the foreign mission board of the Southern Baptist Convention, who also addressed the convention Wednesday night stressed the need of more intensive work in foreign lands.

The outstanding feature of the Baptist State Convention Thursday was the final settlement of controversy concerning Wake Forest College by the unanimous adoption of a resolution endorsing Wake Forest and President William Louis Poteat.

The resolution came from the mountain section, written and offered by Rev. W. C. Meadows, pastor of Hoor's Knob church in Wilkes County, one of the leading ministers of the West.

Dr. Maddry said that if the address of Dr. Poteat delivered Wednesday night did not satisfy the critics, then not even the Christ Himself could satisfy them.

The resolution as adopted by the convention, was as follows: "Resolved, that the convention commend Wake Forest College in its present policy expressed in the address by President Poteat endorsing the Bible truth as a basis of faith, and we are glad to be assured by the board of trustees that this policy will be continued."

TODAY'S COTTON MARKET

New York, Dec. 15 (By The Associated Press)—Bids at 11:45 a. m. were: January 25.37, March 25.59, May 25.66, July 25.37. Tone, steady. New York, Dec. 15 (By The Associated Press)—Futures opened steady. December 25.50, January 25.58, March 25.72, May 25.80, July 25.50.

FARM PRODUCTS BILL FAVORABLY REPORTED

Washington, Dec. 15 (By The Associated Press)—The House rules committee today voted to give a privileged status to the Green resolution proposing an amendment to the constitution prohibiting further issuance of tax exempt securities.

Washington, Dec. 15 (By The Associated Press)—Although State Department officials confirmed the London announcement they declined to make any explanation as to the specific questions Secretary Hughes desires to discuss with Harvey.

In the absence of an official explanation the impression gained currency that Harvey had been called in connection with the German reparations situation which is now threatening a rupture between Britain and France.

Fight Develops In House Contest

Representative Moore Of Virginia Charges Report Was Materially Changed

Washington, Dec. 15 (By The Associated Press)—A sharp fight developed in the House immediately after the election contest of John Paul, Republican, against Representative Thomas Harrison of the Seventh Virginia District was called by Chairman Dallinger of the elections committee which in the majority report held that Harrison should be ousted.

In the face of the announced intention of Republican leaders to put through the committee resolution that Paul be seated Representative Moore of Virginia charged that the majority report as presented to the House June 14 "had been changed elaborately, substantially and materially" by Dallinger subsequent to the original filing.

Strangler Lewis Remains Champion

St. Louis, Dec. 15 (By The Associated Press)—Strangler Lewis defeated Zhyzko Thursday and retained his title as world champion wrestler.

EXPECT TO COMPLETE INVESTIGATION TODAY

Richmond, Dec. 15 (By The Associated Press)—Detectives in the Richardson murder case have announced that they expect to complete the investigation today.

Confiscate Cargo "Message Of Peace"

Wilmington, Dec. 15 (By The Associated Press)—The "Message of Peace" liquor cargo will be confiscated today, according to the Government agreement reached Wednesday at the Raleigh trial.

PRIVILEGED STATUS FOR TAX EXEMPT BILL

Washington, Dec. 15 (By The Associated Press)—The bill of Senator Norris to establish a hundred million dollar Government corporation to finance the sale of agricultural products was ordered favorably reported by the Senate agricultural committee today.

Bandits Locked Bankers In Vault

Caddo, Okla., Dec. 15 (By The Associated Press)—Five men today held up the Caddo State bank, locked fourteen persons in the vault and escaped in an automobile with approximately \$10,000 in Liberty Bonds.

Mrs. L. W. Holloman, Ehringhaus street, has returned home from the Sarah Leigh Hospital after two weeks treatment.

It is not within the power of

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