

Housing Problem Acute Case Federal Prisoners Confined in County Jails

Department of Labor of Opinion States Under No Obligation to Provide Quarters for Federal Prisoners and New York Prison Commission Suggests New Federal Prison Near Canadian Border

By DAVID LAWRENCE
Washington Nov. 9.—With Federal prisoners increasing in numbers due to the Volstead Act, the immigration law and the rigid enforcement of the narcotic act, New York State has raised the interesting question of whether it is incumbent on a state to house Federal offenders in the county jails which are already filled.

And the Department of Labor through its legal advisers has informally ruled that there is no way by which a state can be compelled to accept Federal prisoners in its jails.

This has been agitating prison commissions in most all of the northern tier of states, where aliens try to enter the United States from Canada and the viewpoint of the Department of Labor will be the subject of discussion at the meeting next week in Jackson, Mississippi, of the American Prison Association.

John F. Tremain, secretary of the New York State Prison Commission, stopped off here en route to Jackson and discussed the problem with Federal officials, pointing out that in many county jails there were so many Federal prisoners that intolerable conditions prevailed. He declared, for instance, that the New York State law requiring that certain kinds of prisoners be segregated was being violated by sheriffs because they had no alternative. In one case, he said, a woman charged with murder, another woman charged with drug peddling and a refined young girl who had been guilty of a technical violation of the immigration law were all locked up together 30 days. The county jail in question had no other space available for women. The young woman, who was arrested for violating the immigration law, entered the United States with her prospective husband, believing that if she were going to be married to an American citizen she could be admitted. The couple were married after being arrested but it took a long time to get the young lady free from the clutches of the law and she spent her time in jail with criminals.

One of the principal difficulties is that the Federal Government, busy as it is with thousands of alien cases, sometimes leaves the prisoners in county jails for 30 days or more, until the proper officials can get to the case in question. Many aliens are simply held wrong passports due to misunderstanding. But they have to stay in jail until deported. The Federal Government pays anywhere from 25 cents to a dollar a day to the counties for keeping its prisoners but with space so precious many counties would rather not take care of the violators of the national laws.

The New York delegation in Congress has been asked by the State Prison Commission to urge the construction of a Federal prison somewhere near the Canadian boundary to care for Federal prisoners. As matters are developing now, each Federal department has more laws to enforce every year and the time may not be far off when it would be more economical for the Washington Government to build jails by Congressional districts, especially in the more populous sections of the country, and rely no more on the states to do the sheltering.

So far as the law is concerned, it is said that no statute exists which requires the states to accept the Federal prisoners at all, and certainly there is no obligation, in the opinion of Department of Labor officials, to house Federal prisoners if the jails are already filled. The Federal Government and the states always have co-operated, of course, in the detection of crime, but the indications now are that the hospitality of the states is being sadly abused, in caring for Federal prisoners.

PHYSICIAN TO TELL HOW DAUGHTER DIED
Littleton, Colorado, Nov. 9.—The legal battle over the right of Hazel Blazar to live, though an imbecile, today entered its second week with her father, Dr. Blazar, expected to take the stand. His testimony is expected to detail how he killed the 34 year old "child woman," his daughter, to relieve her misery.

DEATHS ACCIDENTAL
DECLARE OFFICIALS
Hibbin, Minn., Nov. 9.—Accidental asphyxiation probably caused the death of the five women whose bodies were found in a cottage here, was the opinion of officials today.

CLOSING CHAPTER OF SENSATIONAL CASE IS WRITTEN

Sam Lougee and Lewis Powell, Sentenced in Perquimans Last Week, Before Judge Calvert Here

GIVEN ADDED TERMS

Sentences of Three to Four Years, However, Will Run Concurrently With Those Imposed Previously

The closing chapter of the sensational Townsend Chappell burglary case, in Perquimans County Superior Court last week, was written in Superior Court here Monday, when Sam Lougee and Lewis Powell, Durham youths convicted and sentenced to nine to 12 years in the State penitentiary in the Perquimans Court, were brought before Judge Thomas H. Calvert to answer to a charge of stealing an automobile belonging to Ralph Cohoon, local textile worker.

Following the course they had taken in the burglary case, Powell and Lougee pleaded guilty here, and were sentenced to three to four years in prison, with the condition that the sentences were to run concurrently with those imposed last week. In passing judgment, Judge Calvert remarked that he had heard all the evidence in the earlier trials, and saw no need for reviewing it again.

Powell and Lougee, handcuffed together, were brought to this city by Sheriff Whit Wright, of Perquimans. They remained in court scarcely 15 minutes while their case was being passed upon, and Sheriff Wright left with them for Hertford immediately afterward. They are to be taken to the State prison to begin their terms Monday night or Tuesday.

A two weeks' term of Superior Court for the trial of both criminal and civil cases began here Monday morning. The criminal docket is exceptionally light, and probably will be cleared in two or three days, according to court officials.

Besides the Lougee-Powell case, the court passed on that of Josh Gibson, colored, who entered a plea of guilty to a charge of violating the Turlington Act. Judge Calvert fined him \$150 and costs, affirming the judgment of the lower court in the case, imposing also a suspended sentence of four months on the roads, conditional upon good behavior for two years.

The court next took up a charge of abandonment preferred against G. A. Midgett, formerly of Currituck County. W. I. Halstead, South Mills attorney, represented the defendant, and the State was assisted in the prosecution by J. C. B. Ehringhaus, of this city. Mrs. Midgett, wife of the defendant, was the only witness to testify before the noon recess, alleging that her husband had failed to contribute to her support since February, 1924, at which time she said he left the employ of the United States Coast Guard in New Jersey.

In passing upon the jury, Mr. Halstead asked a question unique in the experience of the local bar, lawyers stated. It was: "Is Mr. Ehringhaus, of counsel for the State, employed as counsel by any jurymen?" All members of the jury answered in the negative.

The most important case to be taken up on the criminal docket involves a murder charge against Lawrence Jacobs, young negro, accused in connection with the death of Mack Whitehead, aged negro painter, here some four years ago. It was uncertain Monday when this case would come up for trial.

Members of the grand jury are: Whit Matthews, W. C. Pritchard, H. W. Morrisette, R. L. Hinton, W. P. Harris, J. G. Harris, W. E. Hinton, T. S. Onley, L. C. Davis, C. Ferrell, Charles Scott, R. L. Palmer, T. W. Ranhorn, H. E. Sedwick, Jr., Oscar M. Davis, W. T. Culepper, L. R. Davis and H. D. Gavenport.

PRODUCE DEALERS
KICKING ON RATES

Steps toward correcting rail commodity rates on peas, potatoes and other Northeastern Carolina farm products which are declared to be discriminatory against this section, were taken at a meeting of produce dealers and shippers at the Chamber of Commerce Monday morning, through appointment of a committee to gather data on the situation.

Members of the committee are S. G. Scott, W. A. Brock, Buxton White, N. Howard Smith, and Secretary Job, of the Chamber. After the data has been compiled, a delegation will present the matter before officials of the Norfolk Southern Railroad in the hope of obtaining a satisfactory adjustment of the rates complained of.

Consolidated Press Association

EXECUTIVE OFFICES
Evening Star Building
Washington, D. C., November 6, 1925.

MR. HERBERT PEELE,
Editor,
The Daily Advance,
Elizabeth City, N. C.

Dear Mr. Peele:

We receive daily in this office some four hundred newspapers of all sizes and descriptions. You may be interested in knowing that one of these papers which always attracts our interest is The Daily Advance of Elizabeth City, because it probably is the most enterprising and complete paper published in any city of the same size in the country. I congratulate you upon your well-deserved progress.

Sincerely yours,
HORACE EPES,
Director of Editorial Department.

KILGORE PUBLISH CRYSTAL MIRROR

New Building and Modern Plant Mark Establishment of Publication
News has reached Elizabeth City that John Kilgore, who was at one time connected with the advertising department of The Daily Advance, has established the Crystal Mirror at Crystal River, Florida.

A Spanish stucco building is now under construction at Crystal River for the new plant. It will have arched windows and an arched opening to a central tiled court with doors leading to three offices. The plant will be equipped with a linotype and modern presses.

Mr. Kilgore was recently managing editor of the Tri-City Morning News at Bradenton, Florida, and was financially interested in the publication. After leaving Elizabeth City he made a tour through the country to Glasgow, Kentucky, where he visited his grandfather, a publisher of the Glasgow Times several years ago. He went from there to Laurel, Mississippi, where he was advertising manager of the Daily Leader.

The plant and building are the property of the Crystal River Publishing Company, a partnership of John Kilgore, editor and publisher, and Mrs. John Kilgore, associate editor.

TO HEAR ARGUMENTS ON WHEELER'S CASE

Washington, Nov. 9.—Justice Bailey of the District of Columbia Supreme Court today set November 27 for the hearing of arguments on the plea of Senator Wheeler of Montana for dismissal of indictments charging him with conspiracy to defraud the Government in connection with oil prospecting permits.

Mormon Joe Will Tell His Methods Medical Practice

Aged Purveyor of Strong Medicine to Ute Indians Reveals His Professional Secrets on the Witness Stand When Accused of Murder

By ARTHUR REX GRAHAM
Pueblo, Colo., Nov. 9.—Physicians or alleged physicians who cater to fads and fancies in the science of separating patients from their bankrolls while nature takes its course, will receive many valuable suggestions from Mormon Joe, aged purveyor of strong medicine to the Ute Indians of Southwestern Colorado when the heap big medicine man takes the stand here November 14 in defense of Platt Nae, Ute Indian, accused of burying his infant daughter before the spark of life had departed.

Red and black circles painted around the eyes of the patient, according to Mormon Joe, makes "very strong medicine" when properly applied to the accompaniment of certain ritual mumblings and screeches, which the scourge of the evil spirits is expected to repeat for the edification of a pale face jury. Should the spiriting still prove recalcitrant, the proper procedure is then to drive a stake in the ground at the center of the tepee, the top of the stake to be dyed red. This action constitutes stern warning to the malevolent spirits that they thenceforth enter the protected tepee at their peril.

DRAMATIC CLOSE TO TRIAL OF PAIR IN NEARBY TOWN

Mary Howard, Hartsell, Lougee, Powell and Two Dails Given Terms in Prison in Chappell Case

PLEAD FOR REVERSAL

Judge Calvert, in Perquimans Court Denies Appeal of Attorneys to Set Aside Verdict of Jury

By RALPH POOL
Hertford, Nov. 9.—Sentences of nine to 12 years in the State prison for Sam Lougee and Lewis Powell, five to seven years for Ernest Wade Hartsell and one and one-half to two years for Mary Howard were imposed by Judge Thomas H. Calvert in Perquimans Superior Court Saturday night following conviction of the quartet on charges of having participated in the robbery of the home of Townsend Chappell, blind merchant living near Chappell Hill Church on the night of July 20, last. Powell and Lougee had pleaded guilty at the opening of the trial, but Hartsell and Mary Howard maintained to the last their innocence.

The four were convicted of second degree burglary. Nathan Dail, 46-year-old Perquimans farmer living near Chappell, was convicted on the same charge, and also in a second case, in which he was charged with receiving stolen property, knowing it to have been stolen. He was given nine to 12 years on the former charge, and three to four years on the latter. Walter Dail, also convicted on a charge of receiving stolen goods, was sentenced to two to three years.

All save Lougee and Powell appealed to the Supreme Court. The two boys announced they would serve their time, displaying no emotion when sentence was passed. Hartsell's bond was fixed at \$5,000, Mary Howard's at \$1,000, Nathan Dail's at \$10,000, and Walter Dail's at \$2,000.

There was an affecting scene in the little Perquimans County courtroom when sentence was passed by Judge Calvert. Hartsell broke down completely, sobbing over and over again. "I didn't do it! I didn't do it!" His aged grandmother, Mrs. W. C. Grady, of Durham, wept bitterly. "I raised him from a baby," she said, "and I know he's innocent."

Mary Howard, resigned to her fate, it appeared, wept silently. Many eyes in the courtroom were wet with tears.

After having been out for an hour, the jury in the second case of Nathan Dail, in which the defendant was charged with accessory before the fact to the Chappell robbery, a charge equivalent to second degree burglary, returned a verdict of guilty at 8:50 o'clock Saturday night. This was the last of the cases growing out of the Chappell robbery, and the last to be tried at that term of court. There remained nothing for Judge Calvert to do but pronounce judgment.

Sheriff Small, it happened, had waited nearly an hour for the jury to bring in its verdict. Thinking they would be out for a considerably longer time, he had gone to the hotel to pay his bill. Judge, counsel, defendants, newspapermen and spectators waited as patiently as they could for his return. The minutes dragged along, and still he did not come. Finally, when 15 minutes had passed, the longest in the life of any one of the defendants, Judge Calvert sent Sheriff Wright to notify the solicitor that he was ready to pass judgment in the cases.

The solicitor returned hastily, explaining why he had not come earlier. Whereupon Judge Calvert asked if any of the defendants wished to be heard. Sam Lougee spoke up first. "I have told the truth as far as I know," he said, "and if you'll give me another chance, I'll try to do better. I told the truth about Mary Howard and Hartsell, even though they were convicted. They didn't know anything about the robbery."

Lewis Powell then asked an appeal for the judge to be as lenient as he could. He reminded the court that he and Lougee had been in jail 143 days already.

Carl Wagoner, of Durham, and W. M. Wallan, of Elizabeth City, next appealed to Judge Calvert to grant the jury's verdict and grant the defendants a new trial at the next term of Superior Court in Perquimans. Mr. Wagoner reminded the court that in defending their clients, the two attorneys had used the same two boys, Powell and Lougee, that the State had employed later in obtaining convictions against the pair.

They testified in the same clear and straightforward manner as any other witnesses," he said, "and the jury obviously placed the same credence in them as in any other witness. Yet their testimony was disregarded in the case."

Most Momentous Week In Race for Hudson Or Ford Opens With Fair Weather

And Every Worker Urged to Put Forth Utmost Endeavor to Cash in on Every Promise Before Saturday Night as Never Again in This Campaign Will Same Effort Count for So Much

RED CROSS WORKERS TO LUNCH TUESDAY

There will be a Red Cross luncheon on Tuesday afternoon from 4 to 7 for those who have agreed to help solicit members for this year's roll call which begins on November 11. Plans for this year's roll call will be arranged in detail. The luncheon will be over promptly at 7 o'clock. Chairman John Hall said this morning. This will enable those who expect to hear the University Free Club at Hertford on Tuesday evening plenty of time to reach the neighbor city before the college program begins.

JOHN BRAGAW, JR. IS WELCOMED HOME

One of Washington's Most Popular Citizens Improved in Health
Washington, N. C., Nov. 9.—There has been more hand-shaking on the streets of Washington during the past week than during any similar interval in recent years.

John Bragaw, Jr., one of the East Carolina's best known and best liked citizens was responsible for it. Returning home from Asheville, where he has been for the past 15 months on account of ill health, Mr. Bragaw was accorded a reception here such as is given few men.

Probably no other citizen is held in higher regard or esteem throughout this part of the State than he is. And when he first made his appearance on the streets last Tuesday morning, his fellow townspeople proceeded to show what they thought of him.

Mr. Bragaw lives about three blocks from the business section of the city. Tuesday morning, during the course of an hour, he managed to cover a block and a half. During that time he shook hands with about 60 individuals, was kissed by four women and hugged by two men. Everybody, of course had to stop and chat with him. At the end of the hour, he had to turn around and go back home for dinner. In the afternoon he essayed forth again. This time he managed to add another block. It was Thursday before he reached the business district.

Since being in Asheville, Mr. Bragaw has put on 30 or 40 pounds of weight and his health has been greatly improved. He is prominent in Rotary circles and is one of the best known Rotarians of the district. He also is one of the leaders of the Episcopal church lately in this part of the state.

EDWARD E. BRITTON DIES AT CAPITAL

Washington, Nov. 9.—Edward E. Britton, correspondent here of the Raleigh News and Observer, died today from cancer of the stomach. He was a veteran newspaperman and former secretary to Josephus Daniels.

MITCHELL READY TO PROVE HIS CHARGE

Washington, Nov. 9.—Through his counsel Colonel William Mitchell informed the court martial trying him because of previous utterances in the air controversy that he was fully prepared to prove his charge of criminal and almost treasonable negligence in Government aviation.

REPORT ON COTON GINNED THIS YEAR

Washington, Nov. 9.—Cotton ginned from the growth of 1925 prior to November 1 totaled 11,748,639 running bales, counting round bales as half bales, the Census Bureau announced today. Ginnings were 9,715,643 bales to that date last year. A probable cotton production of about 15,388,000 bales was the forecast.

FREE WILL CHURCH FILLED DESPITE STORMS

The services being conducted at the Free Will Baptist church by Rev. J. C. Griffin are growing in interest. Saturday night, though an off night for service, there was a large attendance and last night the house was filled in spite of the storm. Sunday at 11 o'clock at least 30 came to the altar for consecration. There will be service each day at 3 and 7:30 p. m. at the church. Also each day at 12:30 at one of the mills in that part of the city. The public is invited.

The most momentous week of the Daily Advance subscription campaign is on. With the week opening fair and a fair forecast for Tuesday, every worker should be on the alert to gather in every possible subscription while the sun shines. Never again during this campaign will the same amount of work count for so much toward winning a prize as it will this week. This is because today ushers in the final week of what is known as the first period in the campaign. Beginning next week a new voting schedule goes into effect with the week ending on the number of votes allowed on every subscription. Five one-year subscriptions outside the city this week, for example, are good for 75,000 votes. Next week the same subscriptions will be good for only 60,000 votes. As the prizes in the campaign are to be awarded on a basis of votes and not on the amount of cash turned in, the importance of each worker's going his or her limit this week is evident. Those enrolled in the campaign who are anxious to win a Hudson or a Ford or one of the other big prizes should strain every nerve to cash in every promise before the close of business on Saturday night. All workers wanting subscriptions for which they wish to receive credit on the basis of the first period voting schedule must be in the campaign manager's office with their report and cash by 8 o'clock Saturday night, or, if they must rely on the mails, must mail their report so that it will reach the campaign manager not later than noon on the following Monday. Those anxious to win one of the big prizes are advised to concentrate on their campaign more this week than any other week of the contest. Votes secured on subscriptions this week will carry one a long way toward the prizes on November 28. This week is even more vital to the outcome than the final week which will open two weeks from today. The names of three or four contestants were cut from the last list as published Saturday. These eliminations were due to the fact that the candidates after nominating themselves failed to take an active part other than sending in the free 100 vote coupons clipped from the paper and after these coupons were stopped they quit work entirely. The list as it now stands is due for another trimming. Two or three others are on the list who are doing practically nothing and if they don't report soon their names will be taken off. Everybody on the list from now on must report at least once a week. The names of one of the seven prizes or a 20 percent cash commission. Failure to report in at least once a week with at least two subscriptions for six months or more will mean that you are not interested enough in the outcome to make your work worth while to The Advance and so you will be dropped from the list. This coming Saturday will also witness the closing of the entry list. After the close of the first period no others will be allowed to enter and compete for the more than \$3,000 in prizes and commissions offered by The Advance. The race will then be confined to those remaining and the valuable awards will be distributed accordingly. Most of the workers now carried on the list finished this past week well. The campaign manager urges all to keep up the good work as each worker surely will be rewarded in proportion to the effort put forth. Those who had a good report last week should have a better one this week, if such a thing is at all possible.

ESCAPES WITH LOOT
Detroit, Nov. 9.—A lone robber today held up three employes of the Hamilton Collingwood Branch Bank and escaped with a strong-box containing \$10,000.

ELEVEN JURORS CHOSEN
White Plains, New York, Nov. 9.—Eleven jurors were selected for the first hour today for the jury which will sit in Supreme Court to hear the annulment suit brought by Leonard Kip Rhineland against Mrs. Alice Beatrice Jones Rhineland on the ground that she misrepresented her race to him prior to their marriage.

LOSES SUIT AND CASH
While Jordan Warren, colored, who lives on Spelman street and is well known in Elizabeth City as gardener and dealer in old furniture, was attending church Sunday night, a robber entered his home through a back window and made his getaway with a suit of clothes and \$10 in cash. Warren notified the police Monday morning and hopes to catch the thief and regain his clothes and money.