

This is the Law



By ROBERT E. LEE
(For the N. C. Bar Association)

Valid Contracts Of Minors

Are there any kinds of contracts that are binding on minors? Yes. In all states a minor may be compelled to pay a reasonable price for the necessities that have been furnished to him. If the law did not impose upon a minor an obligation to pay for necessities, adults would be reluctant to furnish him with the necessities of life. The policy of the law in giving protection to a minor would be defeated if a minor could not by some kind of binding obligation procure necessities.

There are special statutes in North Carolina permitting minors to make certain types of binding contracts. Minors of twelve years and upwards may make contracts with building and loan associations and federal savings and loan associations with the force and effect of adults. Minors of fifteen years and upwards may make contracts of insurance or annuity with life insurance companies with the force and effect of adults. Money deposited in a bank in the name of a minor under fifteen years of age may be withdrawn upon a receipt or check signed by such minor and one of his parents. Money deposited in a bank in the name of a minor fifteen years of age and upwards may be withdrawn upon a receipt or check signed by the minor.

What are necessities? "Necessaries" depend upon the facts and circumstances of the particular case. They include food, clothing, lodging, medical care, and proper education. They are not limited to those things that are absolutely necessary to sustain life, but extend to articles which are reasonably necessary for the proper and suitable maintenance of the particular infant in view of his social station in life, the customs of the social circle in which he moves or is likely to move, and the fortune possessed by him and his parents. Articles that might be a luxury to one may well be classified as a necessary to another.

Persons supplying an infant act at their peril, and cannot recover the price if the things furnished were not at the time actual necessities. If the minor has a parent or guardian who provides him with necessities, the minor cannot be sued for articles that ordinarily would be classified as necessities. The seller must prove that the parent or guardian has neglected or refused or is unable to supply the particular necessities to the minor. A minor is not liable upon executory contract for necessities. If he repudiates the agreement before the necessities have been furnished, he cannot be held for damages.

Tom Brown, age twenty, is married. He has both a wife and child to support. He is engaged in the trucking business. Henry White sells to him a truck. May the agreed price of the truck be recovered from Tom Brown?

No. Articles purchased for business purposes, whether agricultural or commercial, have been declared not to be necessities, even though the minor depends upon his business for support. Necessaries must be items required for the living and personal well-being of the minor or those who are dependent upon him for support.

Identical

A miserly man was approached by a friend who did his best to persuade him to dress more in accordance with his station in life. "I'm surprised," said the friend, "that you should allow yourself to become shabby."

"But I'm not shabby," said the miser.

"Oh, but you are," said his friend. "Remember your father. He was always neatly dressed. His clothes always well tailored and of the best material."

"Why!" shouted the other, triumphantly, "those clothes, I'm wearing were father's."



UPENDED AFTER SECTION was all that remained intact of an unmanned U. S. Navy airship which was crashing more than five miles away when a recent atomic test device was exploded in Nevada. The remains of the forward section are on ground at left. Among the experiments conducted during the current Nevada atomic series, called Operation Plumbbob, are tests of nuclear effects on shelters, doors, vaults and buildings which could serve civilians in time of attack. (NTO-Lookout Mountain Lab Photo)



GARDEN TIME
M. E. Gardner
N. C. State College

My fan mail is increasing, which indicates that the column is being read. This makes me feel real good and spurs me on to greater effort in giving you information which will be timely and useful.

These questions come from a Richmond County (Ellerbe) reader through the Editor of the Richmond County Journal: "I have a pussy willow tree beside my house. It has grown so large I want to cut it back. When will be a good time to do this?" It may be done during the dormant season or after blooming in the spring. After blooming in the spring is the best time to prune all flowering shrubs such as spirea, forsythia, deutzia, and others which bear flowers on the previous season's growth. You can see the reason for this. If you prune in the winter, you will remove much of the wood that bears your flowers in the spring; whereas, if you prune after blooming in the spring, you will not disturb your flower bearing area and new wood will be developed during the growing season to bear flowers the next year.

In the case of the pussy willow which has outgrown its location, I would wait until after blooming in the spring and then prune out as much old wood as possible. Then, carefully, thin out and head back so as not to destroy the shape of the plant. When heavy pruning seems to be necessary with any plant, I would prefer that it be done gradually, over a period of a year or two, rather

than heavy dehorning at any one time. Too many gardeners are prone to cut too heavily at one time, which may destroy the shape of your plant for a year or more. This is especially true when pruning ligustrum.

The other question: "I have a crepe myrtle plant which has some kind of disease on the leaves." I am sure this is mildew, which is very common on crepe myrtle. It is too late to do much about it this late in the season, but carefully watch the leaves for first signs of this trouble next year. Spray with 4 tablespoons of wettable sulphur per twenty-five gallons of water if you need this much spray. This combination is also effective in the control of mildew on zinnia, roses, phlox, lilac and privet.

October is a good time to des-

trophy the peach borer that causes the gummy substance at the base of the tree. Use either Ethylene Dichloride Emulsion or Para-dichloro-benzene crystals. Carefully follow instructions on the container.

Weekly Devotional Column

By JAMES MacKENZIE

The largest cathedral in the Western Hemisphere, and the second largest in the world, is the Cathedral of Saint John the Divine (Episcopal) in New York City. This massive monument to man's achievement is 601 feet long and 320 feet wide at the transepts; it is 452 feet high (inside) at the central spire; inside size, 16,822,000 cubic feet; inside area, 121,000 square feet. Now that's a big church. "Way bigger than a Saint Patrick's (Roman Catholic) Cathedral," said the attendant, rubbing his hands together with evident satisfaction. One could put all of Edenton's churches in one of its broom closets, and if you could shake it they would rattle. The cornerstone was laid December 27, 1892, and the structure at the present time is about two-thirds built. Total cost to date: Eighty million dollars, and it is debt free!

Inside the cathedral are various chapels dedicated to patron saints of different lands, the High Altar, and dead men's bones (recent bishops of the New York area). It is an impressive structure, and no trip to New York is complete without taking it in. There is talk that Southern Baptists plan to build one just a bit larger, but that it still in the future; if you visit New York, plan to see the Cathedral of Saint John the Divine.

It is not for me to speak lightly of the sacrifice that has gone into this building. Those who raised it spent their own money, and it is none of my business, nor yours, what they did with it. At the same time, if I had eighty million dollars to spend for Christian work in New York City, I wouldn't build a cathedral. Considering the staggering amount of juvenile delinquency in that city, the thousands of idle teen-agers who are growing up without Christ, indeed, without any kind of moral training, I feel the money could have better been invested in Christian recreation centers



CHINNING BAR—Captivity isn't really hard to bear for this inhabitant of the Chessington (England) Zoo. This lazy sloth bear rests his chin on a cross member of his cage while soliciting tidbits from visitors.

scattered around the crowded slum areas of the city. The Salvation Army is doing a good work in this direction in most of the large cities of the North. In the poorer class neighborhoods they erect — "shelters" combination churches, gymnasiums, and handi-

craft shops—to which the boys and girls come to play, work, and hear about Jesus. What a tremendous impact eighty million dollars worth of these would make in the New York area! What a tremendous impact the churches of our own area would make on the future generation if they placed less emphasis on neat, clean, ornate showplace churches, and a little more on reaching children. The day will come when all buildings of earth will be destroyed, shack and showplace, poorhouse and palace. When we erect buildings, no matter how well we erect them, we build for time, not for eternity. But long after all our church buildings have been reduced to rubble the souls of our children will live. It is better to build a life than to build a cathedral.

SENATOR SAM ERVIN SAYS

Washington—From the very beginning of my service in the United States Senate I have repeatedly urged the present Administration to provide adequate national defense. My voting record and public statements support that

contention. Failure Now we are faced with a situation that has to a large extent been caused by the Administration's failure to keep up our research and development in the field of satellites and missiles. Congress must assume the task of restoring our nation to its position of world leadership in the scientific field. To provide our nation with a defense program to meet the challenge of Soviet Russia will cost vast sums, but it is not a question of a choice in the matter. As I stated last year, to fall behind in this race is to commit national suicide. Request For Hearing Realizing the seriousness of this development, the satellite and missile breakthrough by the Russians, I telegraphed the Chairman of the Senate Armed Services Committee, of which I am a member, last week as follows: "I am concerned over silence from the White House and the administration on status of United

States Missile Program. I believe the majority of Americans will take whatever steps and sacrifices that are necessary to support an adequate research and development program as vital to national defense. I believe there is urgent need for an objective inquiry into the United States program by the Senate Armed Services Committee under your experienced and impartial leadership." Senator Russell is a very distinguished leader and expert in the defense picture of our country. He is a fair man. I am confident that under his leadership the Congress can secure the facts on why we are lagging behind in this race and what steps are necessary to regain our world position.

Or Anywhere First Marine — "You know, polygamy would never work in this country now." Second Ditto — "It has." First Marine — "Yeah, but think of six wives in a kitchenette."

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