

This is the Law



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

MARRIAGES

May first cousins enter into a valid marriage in North Carolina? A North Carolina statute forbids the marriage of double first cousins. The marriage of first cousins, other than double first cousins, is permitted.

If two brothers marry sisters, the children of these two marriages would be double first cousins. The same result would be reached if a brother and a sister should marry the opposite sexes of a brother and sister in another family.

May a white person and a Negro enter into a valid marriage in North Carolina?

No. A North Carolina statute prohibits all marriages between a white person and a Negro or between a white person and a person of Negro descent to the third generation. Every person who has one-eighth Negro blood in his veins is within the prohibited degree.

There have been no United States Supreme Court decisions dealing with interracial marriages.

It is a criminal offense in North Carolina for a white person and a Negro to marry. It is also a criminal offense for a register of deeds to issue to them a license or for a minister or justice of the peace to marry them, knowing them to be within the prohibited degree. The marriage is utterly null and void, and if they cohabit together they may be indicted or a criminal charge of fornication and adultery. Any children born of a void interracial marriage are illegitimate.

Who may perform a marriage ceremony in North Carolina?

A marriage ceremony in North Carolina must be performed by an ordained minister of some religious denomination or a justice of the peace.

There is a special provision in the North Carolina statute giving validity to the rite of marriage among the Society of Friends (Quakers), according to the form and custom peculiar to themselves.

Are witnesses required for a marriage in North Carolina?

No. Witnesses are not required. Only the couple to be married and the person performing the ceremony are required to be present.

Does North Carolina require a medical examination prior to the obtaining of a license to marry?

Yes. The register of deeds is not allowed to issue a license to marry without presentation of a physical examination certificate from a physician showing freedom from venereal disease, tuberculosis, epilepsy and insanity.

TRY A HERALD CLASSIFIED

666

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CHRISTMAS STORY NEVER TO FORGET

Pearl Buck, author of "Good Earth," writes a Christmas story of warmth and profound truth, "A Certain Star," complete in one issue... an entire magazine, breaking 61-year-old tradition, is devoted to the inspiring fiction story. It's in the December 22 issue of the.

American Weekly Magazine in Colorgrave with the

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NO COMMENT

By JAMES H. BOWMAN

Washington—Recent Soviet scientific developments are being utilized as the basis for an intensified propaganda campaign on behalf of federal aid-to-education.

Congress twice rejected—in 1957 and 1957—proposed legislation to permit the Federal Government to take part of what have commonly been regarded as the proper functions of the states and localities in the school construction field.

Because of these two defeats, it looked very much as if federal aid-to-education was a dead issue for 1958—until the Sputnik launching provided a new propaganda tool. This was the contention that the United States must speed up scientific education and, to do this, Federal appropriations are essential.

Obviously, Federal-aid advocates are seeking to use the Sputnik "scare" to facilitate the success of the "foot-in-the-door" technique. It would work like this: If they could start their Federal-aid program under the Sputnik stimulus, they would have a "beachhead" established from which they could wage their battle in future years for vastly expanded Federal appropriations.

Federal-aid opponents contend that this line of reasoning overlooks the most important issue; whether there is any need for Federal intervention. They maintain there is none. One of the basic reasons for the defeat of Federal aid for school construction was the fact that the states and localities were solving the problem—and there was no reason for encroachment in that field by a Federal bureaucracy already far too big.

Likewise, no case has been made that the states and localities are unable to meet the needs for scientific education. Therefore, there is no necessity for the Federal Government to invade this field of activity.

Industry believes in the time-honored principle that the determination, administration and control of education rests properly with local communities and not

with the Federal Government. This includes elementary, secondary and higher education.

Industry maintains that control of public schools should remain in state and local hands, close to the people and responsive to their wishes and needs, and not be transferred to a central government authority.

One of the big items involved is the additional administrative costs in a program handled from Washington—instead of at the local level. For example, a city gets Federal funds for low-cost housing. For every dollar that the Federal Government "gives" the city, the taxpayers must pay nearly \$1.40. And the total Federal grants-in-aid program for this year requires about \$5 billion of the Federal budget.

The Eisenhower Administration has initiated a program intended to return to the states and localities as many as possible of the functions now performed by the Federal Government. Also involved is a study of what tax sources can be shifted from the Federal Government back to the state and local level.

As a part of this enterprise, a group of state governors, representing the Governors Conference proposed recently that the states assume responsibility for public school construction—instead of looking to Federal aid. In return, they asked (among other things) for the right to collect local telephone taxes.

Backers of states' rights contend that this trend should be encouraged—and it would be unthinkable to let the Federal Government get a foothold in the educational domain.

Another reason why this should not be done is that private organizations, including the National Association of Manufacturers, are doing far more than the Government could do to stimulate the improvement of educational facilities and expansion of scientific education.

BIRTH ANNOUNCEMENT

Mr. and Mrs. F. D. Bulls of Jacksonville, Fla., announce the birth of their second son, Edward Gary, born November 29, 1957. The newcomer weighed 6 pounds and 7 ounces. Mrs. Bulls is the former Miss Janet Faye Jernigan.

Mississippi Man Is Named 1957 Man Of Year In Agriculture

Memphis, Tenn., Dec. 11—(Special)—Claude L. Welch, head of the National Cotton Council's production and marketing division, has been named 1957 "Man of the Year in Service to Southern Agriculture" by Progressive Farmer magazine.

Cited for "notable service in the field of cotton production and marketing," Mr. Welch, as the 21st annual award winner, joins a group of some of the South's most outstanding farm and political leaders and scientists.

In announcing the 1957 Man of the Year award, Progressive Farmer recognized Mr. Welch for Cotton Council activities aimed at eradicating the pink bollworm, its efforts in cotton quality improvement programs, and various production conferences.

In addition to past accomplishments, Mr. Welch was commended for his achievements-in-the-making. Among the projects which his division has in the works, Progressive Farmer took note of

plans for an industrywide committee on long-range cotton research in special methods to deal with possible insect resistance, and the search for a new and better bale cover.

Pass The Baloney, Father!

"Remember, children," father pontificated, "when I was a boy I often went to bed hungry, and seldom had a square meal."

"Well, father," rejoined little Richard, the smart boy of the

family, "that shows how much better off you are since you have known us."

Father closed his big mouth, and finished his dinner without any further comment.

If people would confine their talk to subjects that are profitable, that which St. John informs us took place once in heaven, would happen very frequently on earth—silence for the space of half an hour.

—Mary Baker Eddy.

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Edenton, N. C.

Thursday, Dec. 19: Return Engagement—James Dean, Natalie Wood and Sal Minio in

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CinemaScope, Color and Stereophonic Sound

Friday, Dec. 20: Return Engagement—John Wayne, Maureen O'Hara and Victor McLaglen in

"The Quiet Man"

IN COLOR

Saturday, Dec. 21: Return Engagement—Alan Ladd and Robert Preston in

"Whispering Smith"

IN COLOR

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Monday Morning, Dec. 23 at 10:30 o'clock

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