

# This is the Law



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

**Football Bets**  
Is it a criminal offense to bet on the outcome of a football game? Yes. It is an offense against the criminal law of the State. The fact that the game itself is one of skill and endurance on the

part of the two groups of football players does not confer immunity upon those who wager its result.

Murphy promises Cohen to pay him ten dollars if the X football team beats the Y football team, in consideration of which Cohen promises Murphy to pay five dollars if the Y football team beats the X football team. The X football team defeats the Y football team. May Cohen recover ten dollars from Murphy in a court of law? No. The agreement is a wager or bet. It is void and illegal. The courts will not assist one in the collection of his gambling debts.

Mills bet Gardner one hundred dollars on the outcome of a football game. Gardner's team lost. Gardner paid to Mills the agreed one hundred dollars. May Gardner recover the one hundred dollars in a court of law? No. The bet was illegal. As a general rule, the law will refuse to aid either party to an illegal contract. It will leave them where it finds them.

A party to an illegal agreement cannot recover damages for a breach thereof, nor can he, when he has performed on his side, as a rule, recover the performance that he has rendered or its value. The result in such case is the enrichment of one wrongdoer at the expense of the other; but the reason is to deter parties from entering into illegal transactions.

Alexander and Biggs made a wager on the outcome of a football game and each deposits the amount of his promised payment with Craig as a stakeholder. Alexander wins the bet. Before the money has been paid over to Alexander, Biggs notifies Craig not to pay Alexander. Craig nevertheless pays Alexander. May Biggs recover the amount of his deposit either from Craig or Alexander in a court of law? Yes. The loser may recover the amount he has bet from either the stakeholder or the winner.

This set of facts is an exception to the general rule that the law will aid neither party to an illegal contract who repents before the contract is wholly carried out may recover the money or goods he has given in performance if he gives a notice to this effect before the entire transaction is completed.

Biggs was fortunate in this case in getting to Craig, the stakeholder, before the money was paid to Alexander. If the stakeholder had paid the money to the winner before receiving the notice of the loser's repudiation of the wager, the loser would have been unable to recover from either the stakeholder or the winner.



Shown in a picturesque Brussels World's Fair setting is a 1959 Ford Sunliner convertible. Ford offers two convertibles in 1959: the soft-top Sunliner and the retractable hardtop Skyliner. Ford's tasteful styling theme in 1959 is a result of consumer demand for more elegance and dignity, as opposed to gaudiness or extremism. In the background is the Atomium, prominent landmark at the Brussels World's Fair.

White  
Mrs. Lennie Christianson, Creswell; Mrs. Gloria Bond, Edenton; Charles Patrick, Columbia; Mrs. Rebecca Warren, Edenton; Alphonso Dail, Tyner; Mrs. Regina Smith, Edenton; Mrs. Katherine Nelson, Hertford; Mrs. Lila Miller, Edenton; Mrs. Beatrice Rountree, Hertford; Eugene Carpenter, Edenton; William Smith, Edenton; Mrs. Myrtle Parmely, Hertford; Mrs. Marilyn Poore, Edenton; Mrs. Elsie Hopper, Edenton; Mrs. Arlene Jones, Edenton; Henry Carter Jenkins, Edenton; Mrs. Amelia Wylst, Hertford; Max Garland, Edenton; Mrs. Arlayn Wilson, Hertford; Mrs. Judy Collins, Edenton; Mrs. Elizabeth White, Tyner.

Negro  
Millie Lightfoot, Winfall; William Copeland, Edenton; Surley Lee Forehand, Hertford; Willie Ann Riddick, Edenton; Minnie Morris, Edenton; Marjorie Cabarrus, Creswell; Lenora Outlaw, Merry Hill; Addie Felton, Edenton.

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## Legal Notice

North Carolina In The  
Chowan County Superior Court  
NOTICE SERVING PROCESS  
BY PUBLICATION  
Minnie Morris, Plaintiff  
vs.  
Robert Clifton Coston and  
Anthony Coston, Defendants.  
To Robert Clifton Coston:  
Take notice that a pleading  
seeking relief against you has  
been filed in the above entitled  
action.

The nature of the relief being  
sought is as follows:  
1. That Plaintiff recover judgment  
against defendants in the  
sum of Twenty-five Thousand  
(\$25,000.00) Dollars for injuries  
sustained May 17, 1958.  
2. That the cost of this action  
be taxed against defendants.  
3. That the court grant such  
other relief as it may deem proper.

You are required to make de-  
fense to such pleading not later  
than 20 days from date of pub-  
lication hereof, and upon your fail-  
ure to do so the party seeking ser-  
vice against you will apply to  
the court for the relief sought.  
This 22nd day of October, 1958.  
E. W. SPIRES,  
Clerk of Superior Court  
oct19,16,23,30c

ADMINISTRATOR'S NOTICE  
Having qualified as Admin-  
istrator of the estate of Beulah H.  
Boyce, deceased, late of Chowan  
County, North Carolina, this is to  
notify all persons having claims  
against the estate of said deceased  
to exhibit them to the undersig-  
ned at Tyner, North Carolina, on  
or before the 29th day of Septem-  
ber 1959, or this notice will be  
pleaded in bar of their recovery.  
All persons indebted to said es-  
tate will please make immediate  
payment.  
This September 29th, 1958  
J. CAMERON BOYCE,  
Administrator of  
Beulah H. Boyce.  
oct29,16,23,30, nov6c

North Carolina  
Chowan County.  
The undersigned, having qual-  
ified as Administrator of the Es-  
tate of John Miller Privott, de-  
ceased, late of Chowan County,  
North Carolina, this is to notify  
all persons having claims against  
said estate to present them to the  
undersigned on or before the 25th  
day of September, 1959, or this  
notice will be pleaded in bar of  
their recovery. All persons in-  
debted to said estate will please  
make immediate payment to the  
undersigned.  
This 22nd day of September,  
1958.  
LENA M. LEARY,  
Ass't. Clerk Superior Court.  
sept25,oct29,16,23,30c

make immediate payment to the  
undersigned.  
This 22nd day of September,  
1958.  
THELMA MAXWELL  
PRIVOTT, administratrix  
sept25,oct29,16,23,30c

North Carolina In The  
Chowan County Superior Court  
Bessie Perry Lyons,  
Plaintiff  
vs.  
John Douglas Lyons,  
Defendant.  
NOTICE SERVING PROCESS  
BY PUBLICATION  
To: John Douglas Lyons.  
Take notice that  
A pleading seeking relief  
against you has been filed in the  
above entitled action.  
The nature of the relief being  
sought is as follows: Absolute di-  
vorce based upon continuous sep-  
aration between the parties for  
more than two years immediately  
preceding the institution of this  
action.  
You are required to make de-  
fense to such pleading not later  
than 20 days from date of pub-  
lication hereof, and upon your fail-  
ure to do so the party seeking ser-  
vice against you will apply to  
the court for the relief sought.  
This 22nd day of October, 1958.  
E. W. SPIRES,  
Clerk of Superior Court  
oct19,16,23,30c

North Carolina,  
Chowan County.  
The undersigned, having qual-  
ified as Executor of the Estate of  
W. W. Byrum, deceased, late of  
Chowan County, this is to noti-  
fy all persons having claims  
against said estate to present them  
to the undersigned on or before  
the 25th day of September, 1959,  
or this notice will be pleaded in  
bar of their recovery. All persons  
indebted to said estate will please  
make immediate payment to the  
undersigned.  
This 22nd day of September,  
1958.  
WEST W. BYRUM, JR.,  
Executor.  
sept25,oct29,16,23,30c

### Taylor Theatre

Edenton, N. C.

Thursday, October 17—  
LAST SHOWING  
Debbie Reynolds and  
John Saxton in  
"THIS HAPPY FEELING"  
CinemaScope and Eastman Color

Friday and Saturday,  
October 17-18—  
DOUBLE FEATURE  
Hugh O'Brian and  
Robert Evans in  
"THE FIEND WHO  
WALKED THE WEST"  
— and —  
Barbara Stenwyck and  
Barry Sullivan in  
"FORTY GUNS"  
CinemaScope

SPECIAL SHOW — 1:15 P. M.  
Saturday, October 18  
ADMISSION 10c & 25c  
Charles Bronson in  
"GANG WAR"  
Dick Tracy's G-Men No. 4

Sunday and Monday,  
October 19-20—

A lifetime of  
ecstasy in a  
few stolen hours!

ERICH MARIA  
REMARQUE'S  
A  
TIME  
TO  
LOVE

CINEMA  
COLOR

A Universal-International Picture starring  
JOHN GAVIN · LILO PULVER

Sunday Shows 2:00-4:15-8:45  
Monday Shows Start 3:30  
Features 4:00-6:45-9:20  
NO ADVANCE IN PRICES

Tuesday, October 21—  
DOUBLE FEATURE  
"TANK BATTALION"  
— and —  
"HELL SQUAD"

Coming . . . Wednesday  
and Thursday, October 22-23—  
Anthony Quinn and  
Sophia Loren in  
"ATTILA"  
Technicolor

### HI-WAY 17

Drive-In Theatre  
Edenton-Hertford Road

Friday, Saturday, Sunday  
& Monday, October 17-18-19-20

Andy Griffith in  
"NO TIME FOR  
SERGEANTS"  
NO ADVANCE IN PRICES  
Shows 7:00 and 9:00 P. M.

Tuesday, Wednesday and  
Thursday, October 21-22-23—  
Robert Mitchum in  
"THUNDER ROAD"

### Hospital Patients

Visiting Hours 10 to 11 A. M.,  
2 to 4 P. M., and 6 to 8 P. M.  
Children under 12 years of  
age not permitted to visit  
patients.

Patients admitted to the Cho-  
wan Hospital during the week  
of October 6-12 were:

White  
Eugene Carpenter, Edenton;  
William Smith, Edenton; Mrs.  
Myrtle Parmely, Hertford; John

### T-VUE TIME ROOSTS YOUR TV ENJOYMENT!

From its beautifully-colored  
front page to the very last page,  
you'll find T-Vue Time the most  
enjoyable and informative tele-  
vision magazine anywhere. Lots  
of inside stories on the stars writ-  
ten by those in the know. . . And  
you'll be in the know, too, when  
it comes to selective viewing.

For complete listings of Balti-  
more, Washington, and Lancaster  
stations for the week, plus handy  
index, get T-Vue Time every  
week with the

BALTIMORE  
SUNDAY AMERICAN  
On sale at your  
local newsdealer

### IS YOUR FAMILY'S HEALTH PROTECTED?

COMPLETE HOSPITAL, SURGICAL  
AND MATERNITY CARE COSTS  
ONLY A FEW PENNIES A DAY

WRITE OR  
CALL FOR  
FULL DETAILS

### HOSPITAL CARE ASSOCIATION

YOUR BLUE CROSS PLAN

TOM SHEPARD  
P. O. Box 407 — Pembroke Circle — Phone 3440 — Edenton, N. C.  
DURHAM, N. C.  
1958 — OUR 25th ANNIVERSARY — 1933

### HOLLAND GROWN BULBS

The Price Is Right. They Must Go.

We Have To Go, By Cold Weather

FREE BONE MEAL

### Halsey Feed and Seed Store

BROAD STREET SOUTH OF THE BANK

# HERE TOMORROW!

Ford brings Thunderbird  
elegance to the low-price field with

# THE WORLD'S MOST BEAUTIFULLY PROPORTIONED CARS

AWARDED THE GOLD MEDAL  
for beautiful proportions—  
by the Comité Français de l'Élégance  
at the Brussels World's Fair

Styled, powered and priced for today's driving!  
There never was a Ford like this before! Its  
classic new design was awarded the Gold Medal  
of the Comité Français de l'Élégance at the  
Brussels World's Fair! With new Thunderbird  
flavor in each lively line and tastefully new  
interiors, these 59 Fords are beautifully  
proportioned for elegant driving.

Power, performance and economy are served  
up in new proportions, too. All standard Ford  
engines—Six or Thunderbird V-8—thrive on  
regular gasoline at regular prices. You save up  
to 5 cents on each gallon! There's a new alumi-  
nized muffler that normally will last twice as  
long as conventional mufflers used on other  
cars . . . full-flow oil filtration that lets you

change oil at 4000 miles instead of the 1000  
often recommended . . . new Tyrex cord tires  
for greater economy and safety . . . a brilliant  
new Diamond Lustre Baked Enamel Finish  
that's so durable you won't have to wax it ever  
. . . and two new economy power-transmission  
teams that will bring you savings automatically.  
That's why we say, for '59, Ford is truly a  
masterpiece of underpricing!

NEW economy team Number One! Get all  
the high performance of a completely new  
Fordomatic Drive teamed with a Six or Thunder-  
bird V-8—at a price that puts automatic

driving within everyone's car budget. It's a sim-  
plified Fordomatic with nearly 1/3 fewer parts.  
NEW economy team Number Two! Take  
Ford's versatile new Cruise-O-Matic Drive, add  
the responsiveness of Thunderbird Special V-8  
power and you have the last word in automatic  
driving plus the "built-in" overdrive savings  
of an economy-g geared axle.

Altogether NEW in everything you can see feel or touch!

# 59 FORDS

Come in and FEEL THE NEW FORD FEELING in the cars with Thunderbird elegance

The elegant new  
Fairlane 500 Town Victoria

SAFETY BELT

SEE YOUR LOCAL AUTHORIZED FORD DEALER