



The Roundup

By WILBORNE HARRELL

William Morgan is dead. Dead before the guns of a Cuban firing squad and now lies in a lonely grave on foreign soil, far from his home and native land. It is difficult to understand how an American can become involved in any activity that carries a communist taint, but it is easy to see and understand William Morgan's motives—for throughout it all he was only following the siren beckoning call of adventure. A soldier of fortune to the last, he died as many before have died; seeking with restless impetuosity the will of the wisp of adventure's

call. As a boy back in Toledo, Ohio, we wonder how much and how often this lad dreamed of what lay beyond the hills, and what adventure may hold for him, when he grew up and set out to seek his fortune. Yes, adventure may be a boy's dream and hold for him all that life may offer. But only too often does the trail that leads to far-off lands and mystery and thrills lead to the dead end of death. William Morgan is dead. He has found the end of that trail, but in its finding he met death

with his adventurer's boots still on. He met his fate with calmness, and with the courage that befits an American. An adventurer to the end, when the guns of the firing squad rang out, William Morgan set out on his last adventure.

PERSONAL NOTE—I have been using my father's old walking stick for several days after a bout with illness. But getting used to carrying it is worse than wearing a Western hat for the first time.

No compromise with Communism! over much of the state.

"Loopholes" in the present law are plugged in SB 92 and 93. The first bill deletes the provision giving an appeal to a higher court the effect of counteracting the departmental suspension or revocation of the defendant's driver's license that would otherwise follow. Under the second bill, two offenses of speeding within a 12-month period rather than two convictions would allow license suspension; some defendants have been known to postpone trial dates to avoid the present law.

The question of speeding is treated in three bills. HB 101, which has passed the House and has been reported favorably in the Senate, would allow cars pulling light trailers to go faster than the general 45 mph limit for towing vehicles. HB 235 would repeal the speed limit exemption granted to ambulances. SB 94, an "official" bill, uniformly provides that speeding more than 15 mph over any established speed limit would require mandatory license suspension for 30 days on conviction; the law now mainly applies to speeds 15 mph greater than the open-road limits.

Other proposals with the blessing of the Department of Motor Vehicles would make it unlawful to drive under the influence of any drug (SB 96), license commercial driver training schools (HB 223), and change the point system (HB 224). The latter bill raises the point values of illegal passing and driving on the wrong side of the road from 3 to 4 and adds following too close (4 points) and running through a stop sign (3 points) as specific offenses carrying more than the 2 points for basic traffic violations. After increasing points, the bill further strengthens the law by lengthening the point accumulation period from 2 to 3 years.

HB 204 would prevent the compulsory liability insurance law from expiring automatically on May 15. HB 239 would prevent an insurance company from cancelling a paid-up automobile liability policy except upon the policyholder's conviction of a motor vehicle offense punishable by more than 60 days imprisonment, \$100 fine, or both.

Legislative Representation
HB 1, which would reapportion State House seats among the various counties according to the existing constitutional formula, passed the House Tuesday without a dissenting vote, although Rep. Coates of Johnston (which would lose a seat) was moved to remark that he felt like the ox being led to the chopping block. The bill is now in the Senate Committee on Elections Laws and Legislative Representation. On Thursday, Rep. Wooten of Pitt introduced a Constitutional amendment which would provide for a 150-

member House, with the existing formula to be applied to apportion the 50 seats remaining after each county has been allotted one representative; the bill also includes the apportionment which would become effective for the 1963 General Assembly—Guilford and Mecklenburg would get 7 seats each; Forsyth and Wake, 5 each; Buncombe and Cumberland, 4 each; Durham and Gaston, 3 each; and 20 counties would get 2 seats each. The Wooten bill would provide for automatic reapportionment of seats after each federal census, the actual apportionment to be done by the Speaker, thus eliminating the recurring temptation to ignore the Constitutional mandate.

Criminal Law
Anyone planning to steal goods valued between \$100 and \$200 would be well-advised to wait until July 1, 1961. On that date, under SB 29 ratified this week, larceny of personal property of this value will drop from a felony to a misdemeanor. Concern for the crowded superior courts, rather than a tenderness toward thieves motivated the sponsors of the bill. Felonies must be tried in superior court, but misdemeanors can go into recorder's courts in most counties. Another larceny bill, SB 30, is less comforting to the offender; it makes the flim-flam game or other larceny by trick a felony, no matter how small the value of the property taken.

Miscellaneous
SB 99 would expand the membership of the Board of Conservation and Development to 28, while reducing members' terms

to 4 years . . . SB 91 establishes a more complete and specific plan for succession to major state offices . . . HB 234 extends the coverage of the minimum wage law to embrace establishments employing as many as 3 persons at one time . . . Apparently some lawmakers watched the telecast of the Wake Forest-St. John's basketball game, rather than following the story of state legislatures which was appearing at the same time on another TV network; at any rate a resolution congratulating the Demon Deacons was introduced and passed Wednesday morning.

Among the members of the

fraternity is Miss Peggie J. Elliott of Edenton.

The objectives of the fraternity are to learn more about geography, people, life, history, customs, industries, and cultures of foreign countries; to stimulate interest in the subjects; and to help bring about a better understanding through knowledge between foreign countries and the United States.

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Weekly Legislative Summary

This is one in a series of weekly summaries prepared by the legislative staff of the Institute of Government on the work of the North Carolina General Assembly of 1961. It is confined to discussions of matters of general interest and major importance.

The legislative pace quickened in this fifth full week of the session. Ninety-nine new bills were introduced, bringing the total for both houses to 362. As the week ended the three predicted major issues of the session—taxes, legislative representation, and court revision—had been outlined in various bills embodying competing points of view.

Revenue
Legislative composers produced several variations on the revenue theme during the week. Three major bills to produce new revenue were introduced. HB 194, by Rep. Arledge of Polk, would tax cigarettes at the rate of 3c per package of 20; large cigars at 1c; small cigars at 1/2c; and smoking tobacco at the rate of 1 1/2c for each 10c or major fraction thereof of retail price. SB 86, introduced by Sen. Thomas of Union and Sen. Morgan of Cleveland would impose tobacco taxes identical to those in HB 194, and in addition would tax soft drinks as follows: 1c on each 12 ounces, or fraction thereof, of bottled drinks; 1c on each 5c, or fraction thereof, on retail price of fountain drinks not prepared with syrup; and 76c per gallon of syrup. Milk and fruit drinks would be exempt under specified conditions. HB 222, by Rep. Kemp and Arledge deals with all the taxes embodied in the other two bills as well as those covered by HB 175 (the Administration Revenue Bill) and HB 143 (liquor tax increase). The "Kemp Bill" would increase the liquor tax an additional 5%, as compared to the Administration's recommended 2 percent. It would remove sales tax exemptions from certain farm, industrial and commercial machinery and supplies, and would tax these items at 1% (subject to \$80 maximum on most machinery); the present 1%

tax on automobiles and the \$80 limit would be retained (the Administration bill would increase this tax to 2% but would retain the present limit); food and medicines would continue to be wholly exempt from the sales tax; political subdivisions of the State could obtain a refund on sales and use taxes paid by them, if they filed a proper application with the Commissioner of Revenue. The Kemp Bill would also tax soft drinks at roughly 1/2 the rate proposed in SB 86, and would tax tobacco products at approximately the same rate as both SB 86 and HB 194. The Kemp Bill would snuff out the exemptions enjoyed by "eating" tobacco under all the other bills; chewing tobacco and snuff would be taxed at the rate of 1c per 3 ounces.

Motor Vehicles
The introduction of about a dozen bills in the motor vehicles field this week places before the legislature all but one of the proposed changes in the law of the Department of Motor Vehicles. The two most important proposals are ones that failed in 1959. Senator Moore introduced SB 97 and 98 containing this session's versions of scientific tests for determining intoxication of drivers and annual mechanical inspection of vehicles. Drinking drivers who refuse to allow their blood, saliva, urine or breath to be tested for alcoholic content would be subject to suspension of their drivers' licenses by the Department of Motor Vehicles. The inspection bill provides for licensing of private garages which will inspect and issue a one-year inspection sticker for \$1.00.

Two bills would affect license-plate procedures. HB 107, introduced in late February, allows license plates to stay with the owner rather than follow the vehicle. SB 89 would have employees of the Department of Motor Vehicles issue all license plates in place of the present system of contracting with private agencies for distribution

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