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SLOT MACHINES BANNED

STATE SUPREME COURT RULES LAW EFFECTIVE

Clarkson Writes Opinion, Others Concur—Cases Go Up From Wake on Judgments of Judge Parker

In no uncertain terms, the State Supreme Court ruled Wednesday that the 1929 law legalizing "play-for-fun-only" slot machines did not invalidate the 1937 Flanagan act outlawing all gambling devices.

The opinion, written by Associate Justice Heriot Clarkson, was in one of a series of slot machine appeals filed by persons convicted in Wake Superior Court in September and sentenced by Judge R. Hunt Parker. Chief Justice W. P. Stacy wrote a brief opinion concurring and Justices M. V. Barnhill and J. Wallace Winborne joined with him.

Two of the eight appeals resulted in decisions for the defendants, but the effect is the same, as sentences imposed in those cases were to run concurrently with sentences imposed in cases in which the judgment of the Wake Court was upheld.

Judgment was arrested in two of the cases involving J. Norman Finch, distributor, Raleigh, for the Vending Machine Company, of Fayetteville. The high court took its action because Finch's name was not mentioned in the indictments on which he was tried jointly with another person.

Clarkson's Opinion
In ruling that the 1939 revenue act did not invalidate the Flanagan Act, Justice Clarkson wrote:

"The statute under which the defendant wishes to call to his aid and to repeal the Flanagan Act, declared constitutional by this Court, is a revenue provision in the Revenue Act. The General Assembly in this Revenue Act declares its intention in no vague or uncertain language that the intention is to license and permit the operation of only legal machines as defined in the section and not the intention to license or legalize any gambling machine or device. When this language was used in the Revenue Act, the Flanagan Act was on the statute books unrevoked and declared constitutional by this Court. The defendant is convicted of its violation. If the drafters of the Revenue Act, which passed the General Assembly, wanted to repeal the Flanagan Act, why was it not done by clear language? The presumption is that it did not intend to do so. There has long been recognized a difference between 'games' of skill and chance. The former, like ten-pins, bowling, archery, 'shooting for turkey,' and other similar trials of skill, are lawful.

"The State long ago outlawed gambling by every species of games of chance, and, particularly, has passed comprehensive laws prohibiting the operation or possession of slot machines adaptable for that purpose. These statutes have been upheld by this court as within the police power of the State.
"We conclude that the General Assembly did not intend to license unlawful slot machines and make them the subject of revenue."

The man who appears not to have any faults is likely not to be very popular. Neither will people trust him fully. He appears just too good to be true.

PROGRAM AT THE LOUISBURG THEATRE

The following is the program at the Louisburg Theatre beginning Saturday, Nov. 23rd:

Saturday—Double Feature—Roy Rogers and "Gaby" Hayes in "Young Bill Hickok" and Cesar Romero in "The Gay Caballero." Also another chapter of "King of the Royal Mounted."

Sunday—Monday—Cary Grant and Martha Scott in "The Howards of Virginia."

Tuesday—Lew Ayres, Lionel Barrymore and Laraine Day in "Dr. Kildare Goes Home."

Wednesday—Grace McDonald, Robert Paige and William Frawley in "Dancing On A Dime."

Thursday—Friday—North Carolina's premiere showing—Alice Faye, Betty Grable, Jack Oakie and John Payne in "Tin Pan Alley."

NEWELL GETS \$550

THARRINGTON-HORTON CASE SETTLED

Several Judgments Signed In Superior Court Since Last Week's Report—Court Is Still Going On

Dr. J. O. Newell won in his suit for damages against George D. Fuller that was in progress, as the Franklin Times went to press last week.

Court convened again on Monday morning for the second weeks work and is now in progress. Since our last report cases have been disposed of as follows:

In the suit of Dr. J. O. Newell against G. D. Fuller, for damages resulting from an auto accident Dr. Newell was granted damages of \$125 personal and \$425.00 property.

Verney Mace was granted a divorce from Louise N. Mace.

Willie L. Currin and wife vs F. H. Allen and G. M. Beam, Trustee, the appeal from an order of Judge Williams in April 1940, was set aside and the order held in force.

M. B. Jeffreys lost in his suit against J. B. Perry.

The Oxford National Bank, to the use of J. Y. Beasley, transferee, was granted a verdict of \$125.00 against J. S. Eaves.

S. W. Tharrington, administrator et al, et al vs Willie Horton, et als. Compromise settlement.

Ernest Cooper was denied judgment against W. L. Hawkins.

The case of the Legg-Parham Co. vs Zollie C. Wheeler was remanded to E. C. Perry, J. P., for settlement.

The case of J. P. Timberlake, Jr. vs Moses Rogers and wife, et als, was in process of trial as our last report closed.

DR. NATHAN WILSON, METHODIST DIVINE DIES AT CHAPEL HILL

Chapel Hill.—Dr. Nathan Hunt Daniel Wilson, 74, a retired Methodist minister, died Tuesday at his home here.

For years he served as presiding elder and pastor of churches in Franklinton, Fayetteville, Elizabeth City, Louisburg, New Bern and Chapel Hill.

Dr. Wilson was a graduate of the University of North Carolina and he received his training for the ministry at Vanderbilt University. He had been president of the North Carolina Methodist Conference Historical Society and a trustee of Louisburg College.

The funeral was held Wednesday at 3 P. M.

MRS. BEN HOLDEN ADDRESSES SCHOOL-MARSTER'S CLUB

Despite the unfavorable weather conditions of last Thursday evening, a record number of Franklin County Teachers assembled at the Franklinton School to participate in their semi social professional monthly meeting. After a superb meal, the program got off to a swinging start with a group of seventh graders, under Miss Fuller's direction, rendering several musical selections.

The high light of the program came when Mrs. Ben Holden spoke to the club on the subject, "Keeping on the Road in the Time of Emergency." Mrs. Holden's talk was literally filled with excellent advice to teachers and was very appropriate, considering the seriousness of the times.

Spice was given the occasion by Louisburg's Home Economics Instructor, Miss Rogers, who with Mrs. Bailey gave several amusing stunts.

The affairs of the evening came to a close when Mr. Harris, the club president, outlined a series of programs for the year.

Generally speaking things have improved, but the sausage doesn't seem as good as it used to be.

BANKS TO CLOSE

The First-Citizens Bank & Trust Co., at Louisburg and Franklinton will be closed on Thursday of next week to observe Thanksgiving. All persons having business with these institutions will bear this in mind.

FRANKLIN COUNTY DRAFT BOARD



J. E. MALONE, Chairman.



G. B. HARRIS, Secretary



JOS. T. INSCOW

WELCOME TO LOUISBURG 4-H CLUB BOYS

Louisburg and the Chamber of Commerce are ready to welcome the 4-H Club Boys, their families, neighbors and friends for the Corn Show and Judging Contest, Saturday, Nov. 23rd.

The Corn Show will be held in the auditorium of the new Armory Building. The hours are from 9:00 A. M. to 2:30 P. M.

Every one in Louisburg and the County is invited to attend the Show. No price for admission.

Come to Louisburg and let's get acquainted, if you don't know us; if you do let's shake hands all over again.

RED CROSS

Dr. A. Paul Bagby, General Chairman of the Louisburg Chapter American Red Cross and T. Mortimer Harris, Roll Call Chairman, have reported that the Roll Call is going over the top in fine style.

Dr. Bagby called attention to the fact that many school teachers have joined and that some counties have even enrolled every school teacher in the county.

Mr. Harris said that through the courtesy of the FRANKLIN TIMES a list of members and donations would be published next week.

The Roll Call ends Nov. 30th.

ST. PAUL'S EPISCOPAL CHURCH

This will be the Sunday next before Advent. There will be the early Celebration of the Holy Communion at 8:00 A. M. Church School will meet at 9:45 A. M., and the Adult Bible class will meet at the same time. There will be the service of Morning Prayer with sermon at 11:00 A. M. by Rev. Leicester F. Kent, rector. A new series of sermons will begin this Sunday on "The Beginning of a New Era."

Every Friday there is the celebration of the Holy Communion followed by prayer for World Peace. This service begins at 10:00 A. M.

SUMMERS-HOLDEN

The following announcement was carried by the Raleigh Times of Saturday, Nov. 16th:

"Mrs. Benjamin Thomas Holden, of Louisburg, announces the marriage of her daughter, Rebecca Anne, to Scott Myers Summers, of Raleigh, November 9, Mr. Summers is the son of the Rev. and Mrs. E. S. Summers, of Concord."

Mrs. Summers is one of Louisburg's most popular and accomplished young ladies. She is the daughter of Mrs. Ben T. Holden and the late Mr. Holden and is widely known throughout the State. Her many friends here extend heartiest felicitations.

Pete Shearin wonders if Hitler is going to leave much of the earth for the meek to inherit.

It might be well to also be grateful for escaping as much bad luck as we do.

BOY SCOUT DRIVE BEGINS TUESDAY, NOV. 26, 1940



Scouting is a program for all boys. Surely no finer or more workable code of conduct was ever devised. Service to God and Country and to fellow human beings, the will to make and keep themselves "physically strong, mentally awake, and morally straight," these are the fundamental things in Scouting, underlying the program of outdoor activities and progressive practical instruction. The spirit of Service, the urge to right living are the mainstays of the Scout movement. Surely such a program is deserving of your active support.

By training our youth to keep in step We'll have less trouble with Social Stragglers in the future. G. M. Beam and A. B. Allen, joint Finance Chairmen will have committees appointed to call on every interested citizen. Your donation will be used to help provide Executive Leadership and Council and District operating expenses. This worthy cause needs your interest and support. \$400.00 is needed in Franklin County to carry on this Character Building Program.

CHRISTIAN CONFERENCE CONVENES

Franklinton.—Ministerial reports and discussions opened the first session Tuesday of the Eastern North Carolina Conference of Congregational and Christian Churches at Pope's Chapel near here.

The opening devotions were led by the Rev. J. A. Deaton. The Rev. S. E. Madren welcomed the delegates and the response was made by Martin L. Grissom, Jr.

Communion services were in charge of the Rev. Allyn P. Robinson, pastor of the Raleigh United Church. This service at the morning session was preceded by the president's address, reports and discussions.

On the afternoon program were talks by Prof. L. L. Vaughan, of Raleigh, the Rev. L. H. House, Mrs. E. M. Carter, the Rev. Ernest J. Arnold, Superintendent Charles D. Johnston of the orphanage and W. J. Ballentine, treasurer.

Mrs. Sue Dunn Eaves will preside at the Tuesday evening service devoted to Pilgrim Fellowship.

CLAIMS LEAD

Salisbury, Nov. 19.—George R. Uzzell, young Rowan County veteran of the General Assembly, said today that after a survey of House membership he found that he was leading in the number of commitments made for the speakership.

He has been actively campaigning for that post.

He expressed the opinion that about half the members were not now committed to support any particular candidate, but said he believed the majority of those not now committed were leaning toward him.

Uzzell is entering his fifth term in the legislature.

TO OUR SUBSCRIBERS

All of you who have not paid up your subscriptions can help make our Christmas holidays happier by calling in and paying up before the holidays arrive. In all seriousness we are asking you to attend to this as it is very important to us.

OBSERVE THANKS-GIVING

The FRANKLIN TIMES is requested to state that business generally will be suspended in Louisburg on next Thursday in observance of Thanksgiving. Therefore all stores and places of business will be closed.

EUROPEAN TOBACCO WAR NEWS MARKET

To Close For Thanksgiving Wednesday Evening

Another big sale for the Louisburg Tobacco Market was experienced on Monday with all houses filled and general satisfaction prevailing. Sales since have been lighter with prices holding on. While prices are not to be considered high they are recognized equal to any other market and the downward trend is influenced by the off grade of tobacco offered. Some tobaccoists and farmers claim there is no drop in prices from the beginning of the season, the only drop is because of the grade of tobacco. They claim tobacco is selling good according to grade.

The Warehouse on the Louisburg market will close after sales on Wednesday of next week to observe Thanksgiving and will open again on Monday.

Get your tobacco ready and bring it on to Louisburg.

Y. D. C. DANCE
James P. Lumpkin, Chairman of the Entertainment Committee of the Young Democratic Club of Franklin County, announces that the club will entertain at a Thanksgiving Dance to be held at the Green Hill Golf Club House on Wednesday evening, November 27th, from ten till two. Jimmy Byerly's Orchestra will furnish the music, and all club members and their guests are especially urged to attend.

Clawed to Death
Richmond, Va., Nov. 19.—(Abe) Martin, about 60, a veteran carnival worker, was clawed to death last night by two female lions at the World of Mirth Shows' winter quarters here.

He died a few hours after the accident despite efforts of surgeons to save his life by amputating his left arm. Martin's arm, shoulders and back were severely ripped by the animals.

The lions, part of a vaudeville act owned by Fred Delmar, were not owned by the World of Mirth group but were being kept at the show grounds.

Details of Martin's accident were not clear, but it was believed that he went to the cage to cover it for the night when the two lions clawed at him through the bars. Fellow showmen heard his cries and found him practically pulled into the cage by the angry beasts. They beat off the lions and extricated Martin.

The World of Mirth Shows exhibited on the midway at the North Carolina State Fair last month.

Some wives don't know how their husbands look until some good friend says he has lost weight and has circles under his eyes.

Hitler and the other conferees left Vienna tonight by train.

Observers noted that by the signatures of the foreign ministers of Germany, Italy and Hungary and the Japanese Ambassador to Germany, Hitler had broadened his potential base of military operations in the Balkans toward Greece, Yugoslavia or Turkey, or ultimately toward Suez and Bagdad.

London, Nov. 21.—(Thursday)—Nazi planes swarmed out of the night for a second "total" attack on Britain's industrial Midlands, but early today it was reported that a terrific anti-aircraft barrage had dulled the edge of the new offensive.

Ground guns, firing with new effectiveness, were said to have dispersed waves of planes attempting a mass raid on an east Midlands town after less than two hours of incendiary bomb dropping which is merely the first step in the "Coventry technique."

The bombs were extinguished and little damage was reported.

How the rest of the Midlands fared was not known.

The rapid fire of ground defenses and the rumble of bombs caused observers in the eastern Midlands section to say it was the fiercest attack ever made on that area.

Other bombers ranged over London and towns in southwest England and Wales.

The action, however, did not seem to be as widespread as last night's which covered a record area.

Vienna, Nov. 20.—Adolf Hitler today annexed Hungary to the German-Italian-Japanese Axis which he thus converted into a four-power alliance dedicated to defeat of Britain and to the totalitarian reorganization of Europe, Asia and Africa.

By treaty, Hungary joined her Axis friends in a military, political and economic compact pledging joint action against any country which in the future may engage in the European or Japanese-Chinese wars.

Conclusion of the pact was followed by a luncheon at which the Fuehrer was host to the top-flight diplomats who participated in the ceremony.

One significant addition to this group was his own military chief, Field Marshal General Wilhelm Keitel.