

THE ENTERPRISE

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Friday, February 12, 1937

President Roosevelt and the Courts

President Roosevelt, in the face of certain attack from the Republican Old Guard, Josiah Bailey, Carter Glass, and a few others, recently championed the rights of the people at large when he recommended a bill to Congress for the enlargement of the Federal courts. Probably no other act of the people's leader has brought a greater howl from the voices of property lords and representatives than the recommendations made by the President on Friday, February 5.

Crowding behind the self-claimed and self-constituted dignity of the supreme court, the Old Guard and its allies in democratic dress began to fire at the proposal of the President. They charged packing of the courts, apparently forgetting that political packing has been a game played by the two major parties for years and years, with the Republicans well in the lead. While the conservatives would hold their old men on the bench year after year to await the return of a Republican President so he could make favorable appointments, they are loud in their condemnation when the tide takes a turn in favor of the Democratic Party—Glass, Bailey and others excluded. Those who are in bitter opposition to the President and his recommendations are shouting to have the court held above suspicion and at the same time are doing all in their power to hold that great bulwark of justice in political mire.

The people are not so much interested in the politics of judges just so long as the judges judge, but they are concerned when dignity, respect and justice are pitched out the window in favor of property time and again and at the expense of human rights. The inconsistencies in the decisions of the court are flavored with politics and not on reasoning in too many cases. For instance, coal mining figures in interstate commerce on one occasion and does not figure in it on another occasion, the court has ruled, with property rights being given the benefit of the ruling both times.

The recommendations made recently by the President are almost perfect patterns of recommendations made by Republican leaders in the past. Taft explained some years ago that what the President now recommended should have been long ago. Ulysses S. Grant in 1868 "stacked" the court by appointing two additional justices who immediately called for a rehearing of the legal tender act and then court then reversed its previous decision.

The loud protests would lead some to believe that the President aims to disband the court, but his message does not suggest anything other than the correction of certain evils, as the following summary will show:

"The message has dealt with four present needs: First, to eliminate congestion of calendars and to make the judiciary as a whole less static by the constant and systematic addition of new blood to its personnel; second, to make the judiciary more elastic by providing for temporary transfers of circuit and district judges to those places where Federal courts are most in arrears; third, to furnish the supreme court practical assistance in supervising the conduct of business in the lower courts; fourth, to eliminate inequality, uncertainty, and delay now existing in the determination of constitutional questions involving Federal statutes."

Sales Tax Is Killing Business

Some of the legislators are apparently bragging because they killed opposition to the sales tax so quickly. They seem to forget the fact that North Carolina fell from the first place among the Northeastern states in volume of retail sales to fourth place in two years under the operation of the sales tax.

Montgomery Ward, Sears, Roebuck & Co., and other out-of-the-state mail-order houses are evidently getting the business that rightfully belongs to North Carolina merchants.

The Anti-Gambling Bills

It begins to look as though our North Carolina General Assembly is unable to pass an anti-gambling law.

The slot-machine people have fortified themselves with smart lawyers, and when a bill is presented to outlaw gambling, they are able to stifle it. Then there are too many gamblers in the body of the legislature itself. They are not hard to persuade by the slick-tongued lobbyists.

Nothing To Grumble About

Elkin Tribune.

We have been grumbling and complaining about the weather; fidgety because we hadn't seen the sun in low-many days; interfered with our hog butchering; made the roads impassable for school busses and messed things up in general.

But aren't we pikers to be fretting about these little inconveniences when considered in comparison with what was happening in other sections of the country? Think of the million or more made homeless in the wake of swirling waters in the central states; showed out of their abodes by ruthless waters with no chance to salvage personal belongings, and in the knowledge that silt and mud would remain to all but complete the destruction of the things they had left.

The actual dead does not mount high when measured by our usual yardstick, but it is conceivable that the grim reaper will not be satisfied with the immediate toll. Sickness and suffering will abide to take multiplied others, and crushed hopes will bend low many a back that was already aching. The material loss will run into millions amounting to a national disaster.

After taking a look at that picture we cannot consistently grumble about our lot. Conversely we should be thankful that we have escaped.

But in this period of disaster we have abundant reason to be proud of the dollars we invested in the American Red Cross, which has been doing its noble part in rescue and rehabilitation work, and we should be thankful that we have a sympathetic government doing things in our name. Truly this section of the nation has enough to be thankful for rather than dragging our feathers in gloom.

Primary vs. Convention

Durham Sun.

Evidently headed for the State Legislature is a proposal that Democratic candidates for judgeships be selected by convention rather than by primary.

To most North Carolinians that will appear to be an opening wedge against the primary. For a long time some of the State's people have been openly active in an effort to return government in North Carolina to party conventions dominated by the few.

The arguments against the primary are devious. The ability of the people to govern themselves is challenged. The lethargy, which, in these days, is more fancied than real, among the "good people" of the state on election day is cited.

We rather suspect the whole thing is being stirred up because population elections and the Australian ballot made it somewhat more difficult for the political bosses to hold everything in the palms of their hands.

Without further discussion of the merits of the primary as against the merits of the convention system, it ought to be enough to say two things:

1. A return to the convention will set popular government in North Carolina back to the days of political dictatorships, when the public was shut off entirely. The purpose of the convention system, frankly and solely, is to shut the public out.

2. Exclusive of the public from the counsels of government is not democracy. If the people are unfit to govern themselves, then democracy (indeed, anything but autocracy in some form) is a failure and a fallacy.

Revolution Over Roads

Hertford County Herald.

Almost a revolution is arising over North Carolina about improvement of secondary roads, and those who live on them have a right to expect that these should be improved," the head of the State Highway Commission is quoted as saying in a speech the other day. But he went on to say that there is no solution in sight for removing the causes of the incipient rebellion.

If the Highway Commission were to ask us our opinion, we would say that the way to have more money to spend on rural roads would be to waste less of it on extravagant projects which are opposed by the great mass of the citizens, with the \$1,595,000 Albemarle bridge and the \$250,000 Elizabeth City-Nags Head short-cut as examples of what we mean. We would say also to depend more on facts and figures than on the fancies of politicians and politically appointed highway commissioners. We would advise no more short-cuts on existing routes until the rural roads are improved. We would determine which roads bear the greatest amount of local traffic in carrying North Carolina's children to consolidated schools and the products of North Carolina farms to local markets. We would check also the receipts from gasoline taxes. Then we would build roads where they are needed most to carry North Carolina's children to school and to haul North Carolina's farm produce to local markets, as shown by these facts. The roads would be built where they are needed, not where some politician, local, on the highway commission or in the governor's chair, wanted it. The roads would be for the people of North Carolina; not for commercial truck lines to haul freight to out-of-state points; and not for the pleasure-seeker to get to a sea-side or mountain resort.

This threatened revolution arising in North Carolina over improvement of rural roads can be stopped, and without a \$25,000,000 bond issue. Spending regular highway revenues for roads where roads are most needed will stop it.

Repealing the Ten Commandments

If the present legislature had been in existence as a governing body in the days of Moses, it doubtless would have moved to abolish or repeal the Ten Commandments, because most of them are very similar to our present day so-called "blue laws."

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NOTICE
Having qualified as administrator of the estate of Deb Davis, late of Martin County, North Carolina, notice is hereby given to all persons indebted to said estate will please come forward and make immediate payment of same.

This 29th day of December, 1936.
ELI DAVIS,
Administrator of Deb Davis Estate. j1 6tw

NOTICE OF SALE
Under and by virtue of the power of sale contained in that certain deed of trust executed by Willie D. Boston and wife, Isolene Boston, dated 13th day of April, 1928, of record in the Martin County Public Registry in book Y-2, page 591, to secure a certain note of even date therewith, and the stipulations not having been complied with, and at the request of the holder of said bond, the undersigned trustee will, on the 18th day of February, 1937, at 12 o'clock noon, in front of the courthouse door Martin County, offer for sale to the highest bidder, for cash, the following described tracts of land:

First tract: Adjoining the lands of Sanford Cordon on the west, Dennis Simmons Lumber Company on the south, east by Britt Boston on the north by Affidre Cordon—Containing 27 acres, more or less.

Second tract: Bounded on the east by Sanford Cordon, on the north by Eli Gurganus land, on the south by Dennis Simmons Lumber Co., and on the west by Willie Smith land. Containing 54 acres, more or less.

Third tract: Bounded by the lands of Mance James, Sarah James, and the Cordon tract of land, and known as a part of the George Brooks land. Containing 9 acres, more or less.

Fourth tract: Being all of my undivided interest in a tract of land bounded on the west by Dennis Simmons Lumber Co., on the south by Tom Brooks, and on the east by the Brownie tract of land. Containing 14 acres, more or less.

This 18th day of January, 1937.
B. A. CRITCHER,
Trustee. j22 4tw

NOTICE
North Carolina, Martin County.

Under and by virtue of the power of sale contained in a certain deed of trust executed and delivered to the undersigned trustee by B. L. Lurch and Raymond Brown on the 1st day of January, 1931, and of record in the public registry of Martin County in book G-3, at page 35, said deed of trust having been given for the purpose of securing a certain note of even date and tenor therewith, default having been made in the payment of said note, and the stipulations contained in the said deed of trust not having been complied with, and at the request of the owner of the said note, the undersigned trustee will, on Saturday, the 13th day of February, 1937, at twelve o'clock noon, in front of the courthouse door in the town of Williamston, North Carolina, offer for sale to the highest bidder, for cash, the following described real estate, to wit:

A certain tract of land in Goose Nest Township, Martin County, North Carolina, adjoining the lands of J. B. Bell, D. W. Downs, Maci Rogers, Ann Burnett and others, containing 86 acres, more or less, and being the identical tract of land purchased from Alfred Edmondson about 18 years ago, the deed for which is duly registered in the public registry of Martin County.

This 12th day of January, 1937.
K. D. MORGAN,
Trustee. j22 4tw
Elbert S. Peel, Attorney.

NOTICE OF SALE OF LAND
Whereas, on the 19th day of November, 1934, Herbert Bunting, Emma Bunting, T. A. Bunting and Jennie Bunting, executed and delivered unto W. O. McGibony, trustee of Land Bank Commissioner, a certain deed of trust which is recorded in the office of the register of deeds for Martin County, North Carolina, in book N-3, at page 447; and whereas, default has been made in the payment of the indebtedness thereby secured as therein provided, and the trustee has been requested to exercise the power of sale therein contained:

Now, therefore, under and by virtue of the authority conferred by the said deed of trust the undersigned trustee will, on the 22nd day of February, 1937, at the courthouse door of Martin County, North Carolina, at twelve o'clock noon offer for sale to the highest bidder, for cash, the following real estate:

All that tract of land containing sixty-eight and two-tenths (68.2) acres, more or less, in Robersonville Township, Martin County, North Carolina, bounded on the north by the lands of T. A. Bunting; on the east by the William Gray land; on the south by a branch and the lands of Mrs. S. H. Gurganus and on the west by the lands of T. A. Bunting and the Robersonville road. This tract of land is particularly described according to a plat of the same made by D. Modlin, surveyor, on the 4th day of September, 1934, as follows, to wit:

Beginning on the north side of the public road, at the point where the branch crosses said road and the corner of Mrs. S. H. Gurganus and runs with the various courses of the branch as follows: North 54 degrees east 306 feet; north 68 degrees 30 minutes east 185 feet; north 43 degrees 15 minutes east 224 feet; north 69 degrees east 123 feet; north 85 degrees east 155 feet; north 81 degrees 15 minutes east 117 feet; south 71 degrees 45 minutes east 133 feet; north 83 degrees 30 minutes east 134 feet; north 60 degrees east 124 feet; north 85 degrees 15 minutes east 181 feet; north 70 degrees 30 minutes east 230 feet; south 80 degrees east 146 feet; south 89 degrees 45 minutes east 191 feet; south 69 degrees 45 minutes east 270 feet; thence along the line of William Gray north 21 degrees east 2170 feet; thence along the line of T. A. Bunting south 60 degrees west 4993 feet to the public road; thence along the public road south 37 degrees 45 minutes 367 feet to the point of beginning.

Copy of said plat now being on file with the agent of the Land Bank Commissioner, Columbia, South Carolina, and the Federal Land Bank of Columbia.

Said property being advertised for sale and sold subject to an outstanding first deed of trust executed by Herbert Bunting, Emma Bunting, T. A. Bunting, and Jennie Bunting, to W. O. McGibony, trustee for the Federal Land Bank of Columbia, recorded in Martin County, North Carolina.

This 20th day of January, 1937.
W. O. MCGIBONY,
Trustee.
j22 4tw
B. A. Critcher, Agent and Attorney for Trustee.



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NOTICE!

TO ALL THE CITIZENS OF THE TOWN OF JAMESVILLE OR ANY OTHERS LIVING ELSEWHERE WHO MAY OWN PROPERTY HERE:

I take this method of notifying you that Town Taxes for the year of 1935, July 1st, to July 1st, 1936, have been past due since July 1st, 1936, and will be advertised and sold not later than March 15 or April 1st, 1937.

Right many have paid, but there are a number who have not, and, in justice to those who have paid, we will be forced to collect from the others. All single men, 21 years or more, also owe poll tax. We have, and have had for some time, a bonded tax collector, who has been to see most of you, and you can see Mr. H. H. Sexton, who is authorized to give you a receipt for any money paid. The condition of the streets is such that something must be done, and the board cannot go any further than we have funds to pay for; therefore, I urge you to see the tax collector and pay your taxes so we can go forward as soon as the weather permits and fix up the streets and clean up the town and save us the expense and embarrassment of advertising your property for taxes.

Hoping to have your cooperation, I am,

Yours very truly,

Luther Hardison

MAYOR, TOWN OF JAMESVILLE

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