

This Is The Law

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

FARM ANIMALS

Mary Sutton took onto her premises a brood of turkeys she found on a public road in a mistaken belief that they belonged to her. She was later notified that they belonged to John Taylor. After such notification, she put them back on the public road. Taylor was never able to locate his turkeys. May Taylor recover from Mary Sutton a judgment for the value of the turkeys?

Yes, Mary was not legally obligated to remove the turkeys from the dangers of the highway, but once she did so she acquired possession of the turkeys and became what we call in law a "bailee," and as such she could not negligently dis-

pose of the turkeys. The replacing of the turkeys on the highway was a negligent act on the part of Mary.

No one is required to take affirmative steps to save the person or property of another from injury. Our law does not require any one to assume the role of the Good Samaritan. But if an individual does undertake the duty of the Good Samaritan, he becomes liable for the negligent manner in which he carries out his actions.

Green discovered a stray horse in his garden. He immediately drove the horse into the street at the most convenient place. The horse was subsequently killed by the driver of a truck some miles away. May Brown, the owner of the horse, recover the value of the horse from Green?

No. Green never assumed custody or possession of the horse. He got rid of the animal as he saw it on his land. There was no conduct on his part indicating that he intended to take possession of the horse. He never became a "bailee" of the property.

Smith's cow has escaped from an enclosed pasture. Smith is of the opinion that the cow can be found on the land of Jones, but Jones has forbidden him to set foot on his land. What can Smith do?

It is a criminal offense for a person to enter upon the land of another after he has been forbidden to do so.

Smith should make a written affidavit before a justice of the peace that a specially described cow of his has strayed away, and that he has good reason to believe that it is now on the lands of Jones. If he does this, the justice of the peace may, in his

discretion, allow Smith to enter on the premises of Jones with one or more servants, without firearms, in the daytime, for the purpose of making a search for the cow.

White has expressly forbidden Black from entering upon any land that he owns. White has leased a portion of his land to Brown. May Black enter upon the land leased to Brown with the permission of Brown?

Yes. In the absence of any restrictions upon his tenancy, Brown has the exclusive right to control the possession of the land he has leased and to determine who shall be permitted to come upon it. Black is violating no law if he enters, with the consent of Brown, that portion of the land leased to Brown.

The steel industry's 1965 payroll of \$4.7 billion was the highest on record. An average of 584,000 employees worked a total of 1.1 billion hours during the year.

Life Insurance Nears \$20 Billion

Life insurance in force in North Carolina is approaching \$20 billion, the Institute of Life Insurance, New York, reported yesterday. This estimated total of the face values of all the policies issued here is based on figures published in the Life Insurance Fact Book, 1966, off the press this week, the 21st edition of the 128-page manual.

At the end of 1965, life insurance outstanding in the state stood at a record high of \$18,110,000,000, compared with \$15,472,000,000 a year earlier and \$6,760,000,000 ten years earlier, increases of 17 and 168 per cent respectively.

More than half the \$18,110,000,000 total for Dec. 31, or \$9,453,000,000, was made up of ordinary life insurance, the kind taken out by individuals in units of \$1,000 or more. Group poli-

cies, usually bought through the employer, totaled \$5,698,000,000; industrial policies, the door-to-door kind, came to \$1,467,000,000, and credit life insurance, protecting borrowers, was \$1,492,000,000.

The figures for purchases of ordinary life insurance last year have become available, a state by state, and for North Carolina they amounted to \$1,809,000,000, a rise of 15 per cent from 1964 and 195 per cent from 1955. Last year brought to \$8,860,000 the number of life insurance policies and certificates in force in the Tar Heel State.

The life insurance companies' benefit payments to North Carolinians in 1965 totaled \$175,400,000 against \$164,100,000 in the previous year and \$74,300,000 ten years earlier — increases of 7 and 136 per cent, respectively. Last year's total comprised \$89,900,000 of payments to living policyholders and \$85,500,000 of death payments. The life companies' holdings

of mortgages in North Carolina reached \$1,140,273,000 by the end of last year, compared with \$1,058,385,000 at the close of 1964 and \$542,069,000 ten years earlier.

Life insurance companies having home offices in this state numbered 25 at the middle of 1965, the latest count available. Many of these are known throughout the South and elsewhere in the country where they are licensed to do business.

A space-age steel dental crown has been developed at the New York College of Dentistry. The experimental teeth are being made of stainless maraging steel, a metal created for space rockets and deep-diving undersea craft.

Stainless steel roof-top swimming pools are appearing in many modern apartment buildings.

Colored News

Mrs. Uzza Parker and her niece and nephew, Mr. and Mrs. Leroy Wilkinson, of Spingale, have returned home from visiting in White Plains, New York, at the home of Mrs. Parker's sister and family. Mr. and Mrs. Ois L. Carson and daughter, Linda.

While there the Parkers also visited their cousins, Mr. and Mrs. Willie Maples and family in Providence, Rhode Island. They also did some sightseeing in Connecticut.

The family of the late C. C. Harris, father of Mrs. J. A. Gibson, wishes to express their appreciation for the flowers sent from Kings Mountain friends.

Hogs Suffer From Hot Weather

Hot-summer temperatures can wreck the best laid plans of pork producers.

Like most animals on the farm, hogs look for relief when the temperature climbs above the 90-degree mark. But for the porker the chances of finding a cool summer place may be few.

Dr. Robert Behlow, extension veterinarian at North Carolina State University, explains that a hog's normal temperature is around 103 degrees when the animal is at rest. Since sweat glands are located in the lower part of their legs, hogs do not lose body heat readily.

About three-fourths of the animal's excess body heat is lost through breathing, air movement around the body and radiation offheat from the body.

When the air temperature around a hog reaches the 100-degree mark, he must breathe 20 times as much air to get the same cooling effect as in 80-degree air. Excessively high relative humidity also increases the breathing rate.

When the hog's body produces more heat than can be thrown off, his internal temperature rises. Heat exhaustion and death occur when the temperature reaches 105 to 106 degrees, unless the situation is relieved immediately.

Behlow points out that foggers are often necessary in farrowing houses and pig parlors to reduce temperature. When foggers cannot be used readily, shade often provides some relief from excessive heat.

Feed efficiency and growth are affected during periods of excessive heat. Hogs consume less feed when the temperature rises above the 80-degree mark.

The movement of hogs to market also presents problems during summer months. The veterinarian suggests that hogs be loaded at night or early morning. Since heavy loading results in excessive shrinkage and bruising, hogs should not be crowded. Proper ventilation should be provided in the truck. Vents at the front of the truck and open sides are recommended.

The Veterans Corner

EDITOR'S NOTE: Below are authoritative answers by the Veterans Administration to some of the many current questions from former servicemen and their families. Further information on veterans benefits may be obtained at any VA office.

Q—I never filed for compensation with the VA although I suffered an injury during World War I. Am I too late?

A—No. You may file a claim for service-connected disability at any time. However, you will probably be required to submit medical evidence showing the present existence of the disability.

Q—I am a World War II veteran with three years and five months of active service in the Army. I have not been well enough to work for over three years. Am I entitled to any kind of disability benefits from the VA?

A—Veterans of World War I, World War II or the Korean conflict, discharged under other than dishonorable conditions after 90 or more days service, or because of a service-connected disability, who are permanently and totally disabled from reasons not traceable to service and cannot pursue a gainful occupation may be entitled to a non-service-connected pension if their income from all sources does not exceed \$1800 if single or \$3000 if they have dependents.

Q—I understand veterans have eight years from the date of their discharge to complete training under the new GI Bill. I was discharged August 7, 1960. Must I complete training in 1968?

A—No. Veterans discharged on or before June 1, 1966, have eight years from that date to complete training. Your deadline will be May 31, 1974.

CENTER SERVICE • 118 YORK ROAD • THURSDAY, FRIDAY, SATURDAY

DON'T MISS OUR

GRAND OPENING

PHILCO
Solid State Stereo
with FM Stereo and AM/FM Tuner

Unbeatable Values—in fine furniture stereo



Danish Modern in genuine Walnut veneers and selected hardwoods with rich, oil type finish. PHILCO 1718 WA.

ONLY \$224.95 w/t

5 FEET WIDE!
CHOICE OF FURNITURE STYLES

Long, low and truly beautiful in genuine wood veneers and hardwood solids, hand-finished for lasting beauty. Your choice of authentic furniture styles. Contemporary, PHILCO 1718 MB, in Mahogany veneers not shown.



ONLY \$249.95 w/t
PHILCO 1718 MA

Early American in genuine Maple veneers and selected hardwoods, with lustrous hand finish. PHILCO 1718 MA.

FULLY TRANSISTORIZED
FOR FINEST STEREO SOUND, LONG LIFE AND RELIABILITY

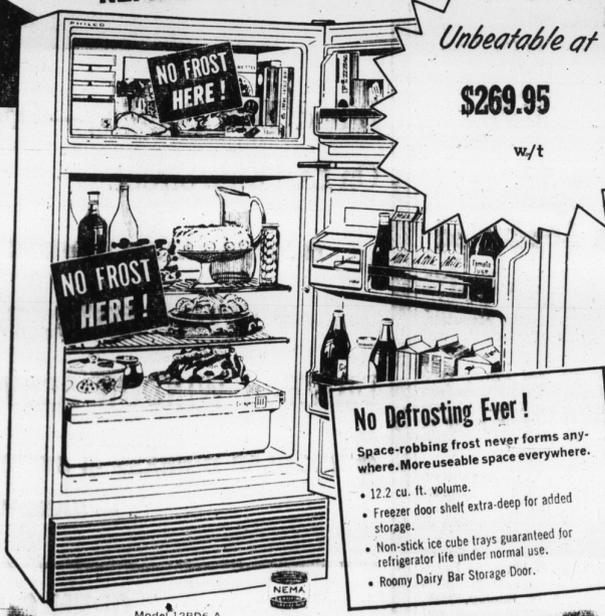
Not just partially transistorized as are some so-called Solid State Stereos, but fully transistorized for full-fidelity stereo sound, long life and reliability. There's not a single tube to burn out or weaken with age in either the stereo or the AM-FM Radio Tuner.

- New Philco FLOATING-TOUCH Tone Arm
- Long-Life Diamond-Sapphire Needles
- Deluxe 4-Speed Automatic Changer
- 4-Speaker Sound System
- Custom Controls for Stereo and AM-FM Radio

TRADE-IN
for your old refrigerator

PHILCO NO FROST
REFRIGERATOR-FREEZER

Unbeatable at **\$269.95 w/t**



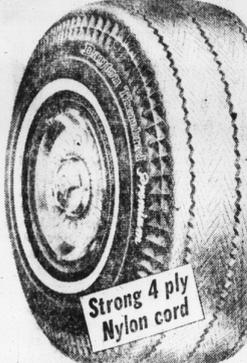
NO DEFROSTING EVER!
Space-robbing frost never forms anywhere. More useable space everywhere.

- 12.2 cu. ft. volume.
- Freezer door shelf extra-deep for added storage.
- Non-stick ice cube trays guaranteed for refrigerator life under normal use.
- Roomy Dairy Bar Storage Door.

Model 12RD6-A

STEP UP
TO PREMIUM QUALITY AT
A DOWN TO EARTH PRICE

Exceptional Values



\$13.95
Black Tubeless
6:00-13—Plus
Fed. Tax 1.61

Dayton Thorobred Premium

\$15.95
White Tubeless
6:00-13—Plus
Fed. Tax 1.61

USE YOUR CREDIT

Here's your opportunity to get the premium quality, safety and performance at a realistic price.

- 100% extra-strength nylon cord
- Miracle mileage polybutadiene rubber
- Deep, massive tread with over 10,000 traction edges
- Sleek, modern styling with thin-line whitewalls

Free!

WHILE THEY LAST!
Famous Commemorative Recording — D-Day Plus 20 — 1944-64. Plus Photo Album of 1944 Normandy Invasion.

Prize Drawing

- 1—\$49.95 Philco Record - Player
- 1—\$41 recapping of 7.75 or 8.25 tires, set of four of your tires.
- 1—\$24.95 Belle-Saon Portable Professional Hair-Dryer
- 1—\$19.95 Electric Ice Cream Freezer
- 1—\$15.95 Philco Radio
- 1—\$14.95 Crank-Type Ice Cream Freezer
- 1—\$12.95 Valve Test Steam Iron

Drawing Saturday, August 6, at 5 p.m. You don't have to be present to win. Nothing required to buy. Register as often as you visit us.

These Prices Continue Thru Saturday Only — Many, Many More Grand Opening Bargains!

CENTER SERVICE

Tire Recapping — Tires — Philco Appliances — Hardware
Phone 739-3216 Clyde Whetstine - James Gibson, Owners 118 York Rd.

WHILE THEY LAST!
Ice Cube Trays Filled With Whitman's Candy, Just **99c**