

THIS IS THE LAW

ADVERSE POSSESSION OF CHATTELS

Taylor stole a valuable and distinctive type of diamond ring from the jewelry store of Sutton on January 10, 1965. The following day the ring was sold to Webster, who has since worn it regularly. May Sutton today recover the ring from Webster?

No. Webster has acquired ownership to the ring under the doctrine of adverse possession.

If a person holds openly and adversely the personal property of another for a period of three years, the original owner in North Carolina and most states cannot bring a legal action to recover the same. A strong public policy forbids adverse claimants from disturbing the existing situation by the presentation of ancient rights, concerning which proof may be difficult because of faulty recollection and the absence of essential witnesses.

It is possible for a thief, or a person who purchases from a thief with knowledge of the theft, to hold so openly and notoriously as to acquire title under the doctrine of adverse possession.

The mere fact that the original owner has searched with due diligence for his stolen or lost chattel is not enough in itself to prevent acquisition by adverse possession. The fact that the original true owner did not know who had his chattel during the three-year period is immaterial.

Ownership to real property may be acquired under the doctrine of adverse possession, but the statutory period in such case is much longer.

Allen lends a book or other item of personal property to Bost. May Allen ten years later recover the book or other item of personal property from Bost?

Yes. The doctrine of adverse possession does not apply to bailees or agents who acquired their original possession with the express consent of the owner.

No length of possession by a bailee or agent, as such, will bar the property rights of the owner.

But if the true owner demands the return of his property from one to whom he has loaned or leased it, and the person in possession refuses to do so and claims the property to be his own, then from this time onwardst he party in possession may be considered as holding the property adverse and hostile to the true owner. The true owner should bring his action for recovery within three years from this time. If he does not, the party now claiming an adverse and hostile possession will become the legal owner after the expiration of three years.

The finder of lost property is classified as a bailee, holding the property not adversely but for the benefit of the true owner.

GAIN IN STEWARDSHIP

For more than 20 years, the Nazarene denomination has ranked first in per capita giving in the nation among denominations with 150,000 and more members. Giving for all purposes was a record \$69,792,000 in 1967. This raised per capita giving to \$190.13—or nearly double the church mark of two decades ago. It was \$101.78 in 1947.

Woodmen Hear Progress Report, Set Building Fund Campaign

Woodmen and Visiting sovereigns crowded into the community conference Room of Kings Mountain Savings & Loan Association Thursday evening to hear a report of continuing progress and fraternalism of lodge NC15 during the past spring quarter.

Progress in fraternalism was noted with WOW President Avery Murray reporting the use of the local groups wheel chairs, walkers, and crutches, now on loan to deserving folk.

It was also pointed out that History Award Certificates and the annual History Awards are now on display at the local schools. A History Certificate is presented in Kings Mountain grammar schools annually to the best qualified history student in each grammar school. A Gold Award for proficiency in history is presented to the outstanding history student in the Kings Mountain high school each year. This award is also on display and the name of recipient will be engraved thereon when it is presented.

Flag presentations have also been made to the local hall plus

several Boy Scout troops, one Girl Scout Cadet troop, and a flag presentation is scheduled for a church next month. A special note of appreciation was written to Girl Cadet Scout Troop 40 for the excellent program and refreshment time they had prepared for their flag presentation.

Reports from the various building fund committee members indicate that the community building fund has a steady healthy growth. President Murray said that each member who has and is helping with the fund is doing an excellent job and it is the hopes of N. C. 15 to have its new home started in the near future. The lodge is the owner of a possible residential lot and plans the erection of a building thereon in the near future. All members were invited to join in, through tax deductible donations, and selling of pens for proceeds going to the building fund.

A report was had on the activities held on Saturday, April 20 at the local district Log Rolling convention which had been held in Cherryville. Sovereigns from all over the United States had join-

NEW COLLEGE TO OPEN

The Mid-America Nazarene Junior college is scheduled to open in the fall of 1968 at Olathe, Kas., serving a 7-state area with Kansas City, Mo., as the hub. Another Nazarene Junior college is scheduled to open in 1968 or 1969 at Mt. Vernon, Ohio, serving churches in three states. These will become 4-year colleges as soon as possible. The present six Nazarene colleges have a total of 7,800 students.

All members were invited to attend a booster's rally at Court 3280 in Gastonia on May 9 at which time dinner will begin at 7 p.m.

Refreshment time offered dinner for those attending, at which time again was pointed out that the drink machine has been installed to raise money for the building fund.

Chaplain Voyd Hayes said the invocation and benediction.

The idea that if I don't ride, I won't go can be dangerous to your health, says the North Carolina Heart Association. Exercise is necessary for good health.



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