

This Is The Law

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

Mrs. Richard Roe, seventeen years of age, was alone in her home between 8 and 8:30 P.M., after dark, on the night of January 31, 1957. A window in her home was closed, but not fastened. It was held in place by its own weight. John Doe, whom the young wife knew, raised the window, and solicited sexual intercourse. The wife refused. A struggle resulted. He was not successful in his attempted efforts of rape. She broke away from him and ran outside of the house. She got into her automobile, locked the doors of the car, and blew the horn continuously. John Doe fled. A neighbor, attracted by the blowing, came to Mrs. Roe's rescue. Had John Doe committed burglary?

—Yes. There was a breaking and entering of the dwelling house of another at nighttime with the intent of committing a felony therein. This was an actual case. The names of the real parties, however, have been substituted. The jury found the defendant guilty of burglary in the first degree, without a recommendation of life imprisonment instead of death.

He was sentenced to death by inhalation of lethal gas. On appeal to the Supreme Court of North Carolina, the highest court in November, 1957, found no error in the trial.

In this case there was a sufficient "breaking" and entering of the house of another. If a door or window is firmly closed, it is not necessary that it be locked, bolted, or barred.

Where the sash of a window is down, and there is no fastening above the sash, it is nevertheless a "breaking" if the sash is lifted. On the other hand, there is no "breaking" if a window or a door is slightly ajar, and the accused simply increases the size of the opening and through it enters the home. Burglary cannot be committed by entering through an open window or door. A lesser crime, but not the capital offense of burglary, is committed.

When you buy or build a home in the Southeast, consider the insulation qualities of wood, suggests the Southern Forest Institute. A one-inch thickness of lumber, according to the Institute, provides the same insulation qualities as six inches of brick or twelve inches of concrete.

Whetstine's Rites Conducted

Funeral rites for Isaac Whetstine 61, of route 1, were held Wednesday at 3:30 p.m. from Carson Memorial Baptist church in the Crowder's Mountain community.

Rev. Wayne Kirk officiated at the final rites, and interment was in Mountain Rest cemetery. Mr. Whetstine died Monday at 3:15 p.m. in the Kings Mountain hospital after suffering a heart attack about 1:30. He had been in apparent good health.

A farmer, Mr. Whetstine was born in Clover, S. C. but had lived most of his life in Kings Mountain.

Surviving are his wife, Pauline Whetstine; two brothers, Otis and Melvin Whetstine of Kings Mountain; and two sisters, Mrs. Lela Flum and Miss Lillian Whetstine of Kings Mountain.

February and March in the Winter and October and November in the Fall are the four most dangerous months of the year for forest fires, reports the Southern Forest Institute. Since newsprint is made largely from wood fiber, United States newspapers like this one consume more than 5,500 acres of timber every day, over two million acres a year.

Social Security Tax Increase Begins Jan. 1

All employers are reminded that beginning January 1 the social security tax deduction for each employee will be 5.2 percent. The rate for the past two years was 4.8 percent.

Lex G. Barkley, Manager of the Gastonia Social Security Office, stated that the increase is in accordance with the projected tax schedule as contained in the social security law.

One purpose of the social security program is to partially replace lost income due to disability, death, or old age. "Workers have more financial protection under the program today than ever before," Barkley added.

Newspapers are one of the biggest users of forest products, reports the Southern Forest Institute. The newsprint on which this newspaper is produced is a special kind of paper manufactured especially for that purpose. Since newsprint is made largely from wood fiber, United States newspapers like this one consume more than 5,500 acres of timber every day, over two million acres a year.

KM Youth, 19 Is Sentenced To Ten Years

A Rt. 1. Kings Mountain youth was sentenced to 10 years today in Cleveland County Superior Court after he entered a plea of guilty to a charge of armed robbery.

Aldean Adams, 19, was charged with armed robbery after a September robbery of the Waco Road Grocery near Kings Mountain. Several shots were fired during the robbery but no one was injured.

Adams and Johnny Lee Parker, also of Kings Mountain, were identified by the store operator, Paul Ledford, as the robbers. Parker was given a 15-20 year sentence in Superior Court last week on the same charge.

North Carolina, a leader in the nation in fireman training, sent three men to Lansing, Mich., to conduct a program of arson detection and investigation for 300 firemen, policemen, and arson investigators.

On invitation Keith Phillippe, supervisor of fireman training for the Department of Community Colleges, and two fireman area consultants, Calvin Beck and Marvin Sawyer, directed the training program in Michigan this spring.

Dixon Church Sets Yule Play

"The True Meaning of Christmas", a Christmas play written by Phillip Humphries, will be presented on Christmas Eve at 6:30 p.m. at Dixon Presbyterian church.

Mr. Humphries, a member of the church and teacher of the Adult School Class, Mrs. George Sellers, pianist, and Mrs. Wayne Wells, president of the Women of the Church, are directing the production. Included in the program will be several choral numbers and a candlelight service with Rev. Robert Wilson, pastor, as narrator.

Santa Claus will distribute gifts and Christmas treats after the program in the church fellowship hall.

More than 125,000 persons have been trained for employment in North Carolina's new and expanding industries since the state-sponsored training was begun in 1957, according to Joe E. Sturdivant, director of industrial services, Department of Community Colleges.

Between 300 and 400 companies have been served by this training which has been administered by technical institutes and community colleges since 19-63 when the community college system was established. Prior to that time the training was under the direction of industrial education centers.

UNICEF is active in over 100 countries, bringing millions of children better health and nutrition. But physical care is not all that children need. One-third of UNICEF's resources are spent on aiding education. To keep pace with population growth, UNICEF is steadily increasing its flow of educational equipment and teacher-training grants in many of these countries. Your contributions to UNICEF help to make this important work possible.

WILSON TV
HAS
MINI AUTOMOBILE EIGHT TRACK TAPE PLAYERS
AT ONLY \$39.95
Yes \$39.95 ONLY
Complete With Speakers
(Installation Available)
Limited Supply

WILSON TV and MUSIC
904 W. GOLD
Across From Seven Eleven
"Your Hometown Home Entertainment Center"
OPEN THURSDAY NIGHT TILL 8:30



Santa Suggests: Now Is The Time

TO SAVE

FOR Christmas, 1971

OPEN A SAVINGS ACCOUNT TODAY AT Home Savings & Loan Association

ESTABLISHED 1923

EAST MOUNTAIN STREET

PHONE 739-2531



'HEIRESS' GIFT SLIPPERS

A. Stretch velour lined with soft tricort. Cushion crepe soles. Blue or pink color. Sizes 5-10, \$5 — Girls' sizes 9-3, \$3.

B. Shaggy shearling with soft padded soles; tricort lined. Cerise pink or peacock blue. Sizes 5 to 10, \$4 — Sizes 9 to 3, \$3.

C. Polyester crepe with dainty fabric rosette trim. Soft padded sole. Champagne, hot pink. In sizes 5 to 10 — \$5.

D. Leather slip-on with hidden elastic gore. Black or bone. Sizes 5 to 11 — \$6.

Belk

OPEN EVERY NIGHT 'TIL 8:30 P.M.
THROUGH DEC. 23 EXCEPT SATURDAYS