

This is the Law



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

Crimes of Employees

Is an employer criminally liable for the thefts of his employee? The general rule is that unless liability has been imposed by statute, an employer is not criminally liable for the acts or misdeeds of his employee if he has not previously authorized or assented to them.

The mere fact that the crime was committed in the course of his employment, as in civil cases, does not render the employer responsible for it. The employee alone must answer to the sovereign State for his criminal act. Criminal responsibility must rest, except in exceptional cases, upon the ground of assent, for otherwise the mental element necessary to make the act a crime is lacking.

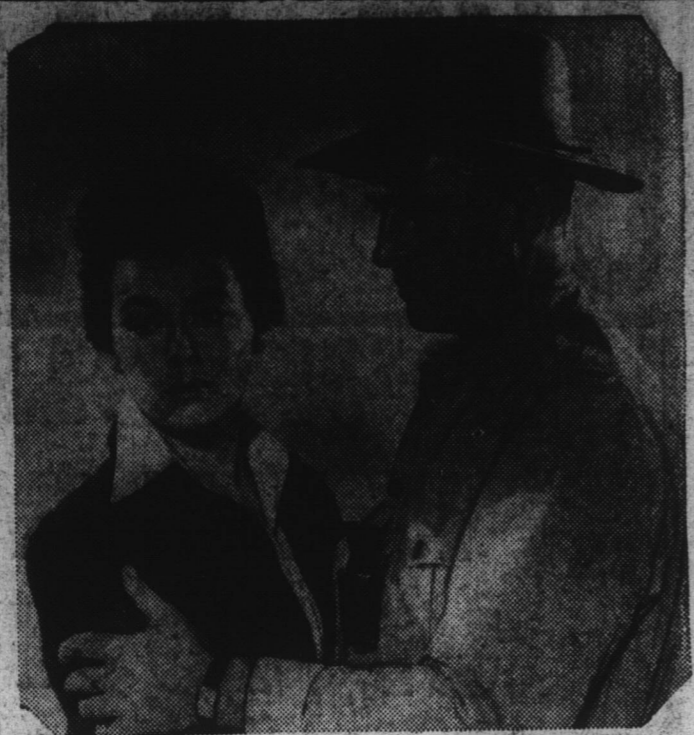
An employer cannot be punished for the theft of an employee he has not previously authorized. The doctrine applied in civil cases, that ratification is equivalent to authority previously given, has no application in the criminal law.

One who employs or procures another to commit a crime is, of course, responsible along with the actual wrongdoer for the offense committed.

Are there any occasions where an employer can be held criminally liable for the acts of his employee notwithstanding that they have been done without his authority and contrary to his instructions?

Yes. There are a few exceptional instances where statutes have imposed punishment upon employers notwithstanding that the acts done by their employees are without authority or contrary to instructions. The intoxicating liquor statutes and pure food laws are examples. In such cases it is the act itself, not the intent, that determines the guilt; the actual harm to the public being the same in one case as the other. It is often said that it is the duty of the employer to see to it that such statutes are not violated by his employees in the course of their employment.

May an employee be punished for a criminal act if he proves that it was done by the command



Stewart Granger and Barbara Rush are romantically teamed in John Brabourne's CinemaScope production, "Harry Black and the Tiger", filmed in India, and coming Sunday and Monday to the Taylor Theatre. Anthony Steel also stars in the Twentieth Century-Fox release directed by Hugo Freagoness.

SUNDAY SCHOOL LESSON

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politics with city bosses and underworld characters, our diplomatic and domestic life has been clouded with question marks about the dependability of our own integrity. Today our world is jeopardized by the political leaders of a world power who have deliberately cut themselves off from spiritual principles. We must tread warily, but there is a principle associated with Jesus' messiahship to which we should hold fast, and it may help us to understand something in the present world crisis. It is that God's spirit is needed if a person is to have the ability to discern evil as it is. The presence of God's spirit in Jesus enabled him to identify the true nature of his tempter and the proposals made.

While Russia and her subservient satellites labor to erase from young minds every vista of Christianity, we must labor more earnestly to make our Christian faith

intelligible and meaningful to our rising generation. Jesus' reply to the tempter with passages from the Old Testament show how well he had been prepared for such emergencies by his early religious training. The prevalence of juvenile delinquency in this country today should warn our people of what is in store for our nation through the neglect of the religious training of our children. If we practice indifference and apathy toward our religious culture we may lose the illuminating power of God's spirit. When we do that, moral leadership will depart from among us. Then we, like our present antagonists, will seek our goals through expediencies and intrigues. Jesus, in his time of temptation, did not turn from the hard way of achieving his goal. He shunned short cuts, and revealed that God's way of life can be trusted only with those persons who are loyal to him and who have taken a firm stand against taking short cuts to power. With such a wonderful example before us, can we, as Christians, do any less? We must turn

our back on temptation and stand fast by the Christian principles to which we are committed. By so doing we will be setting an example to our own rising generation and to the rest of this troubled world, firm in our belief that right will triumph over evil, in His name.

(These comments are based on outlines of the International Sunday School Lessons, copyrighted by the International Council of Religious Education, and used by permission).

Bigger Cotton Crop Forecast For 1958

Cotton production in North Carolina is forecast at 230,000 bales of 500 pounds gross weight, according to an announcement made by the North Carolina Crop Reporting Service. This forecast, based upon reports from growers and ginner as of October 1, is 15,000 bales above

the September 1 forecast. Despite substantially smaller bales and the smallest for the acreage for harvest, this year's state since 1950. cotton crop would be only 1,000! bales below 1957 production of 231,000 bales. However, due to successive acreage reductions over a number of years, the 1958 crop would be 48 per cent below the 10-year average of 441,000 Let never day nor night un- hallow'd pass, still remember what Lord hath done. —Shakespeare.

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PECAN CROP LOWER

Based on condition reports from producers as of October 1, the North Carolina pecan crop is forecast at 1,900,000 pounds — down 300,000 pounds from September 1, according to the North Carolina Crop Reporting Service. The current estimate is twice the size of the short crop of 950,000 pounds produced in 1957 but is about 10 per cent below the 10-year average production.

It has been said that a man is excused if he commits a crime upon the command of other under reasonable apprehension on his part of instant death in case compliance with the command is refused.

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1-LB. DEEP FLAVORED Super Store COFFEE 49c	TALL RICH FOOD Evaporated MILK 3 40c	STEAKS 49c
	5-LB. BAG Factory-Pac SUGAR Bag 53c	FULL 1 1/2 LBS. Rich Food BREAD 23c
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