

This is the Law



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

PARTNERSHIP NAME

May there exist a partnership without the names of the partners appearing in the firm name?

Yes. The partnership name need not carry the surname of any of the partners.

For example, a partnership comprised of John A. Jones and Henry L. Smith may be operated under the firm name of Taylor's Restaurant.

Can one by looking at the name of a business enterprise determine whether it is a partnership or a corporation?

No. The Sutton Hardware Company, for example, could be the business title of either a partnership or a corporation. It could even be a single proprietorship owned entirely by a man named Jones.

May a person less than twenty-one years of age become a partner in a business enterprise?

Yes. But since a minor may disaffirm his contracts other than for necessities, he may repudiate his personal liability to firm creditors and co-partners.

The minor's investment in the business is, however, subject to the claims of the firm creditors and in most jurisdictions to the claims of co-partners who have not dealt with him fraudulently.

May a corporation become a member of a partnership?

Yes. Is a partnership automatically dissolved by the death of one of the partners?

Yes. The surviving partner or partners wind up the affairs of the business and render an accounting to the estate of the decedent.

May a partnership be sued in its firm name?

Yes. The individual members of the firm may also be sued as individuals.

A member of a partnership is personally liable for all of the obligations of the partnership.

There are more books upon books than upon all other subjects. —Montaigne.

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KNOW YOUR SOCIAL SECURITY

John T. Grooms, representative of the Social Security Administration, is in Edenton every Thursday at the North Carolina Employment Security Commission office in the Citizens Bank Building.

There is good news for many retired persons, and for the widows and children of working people who have died. Because of 1960 amendments to the Social Security Act, less work under social security is now required for benefits to be payable to a worker, or to his surviving family. Approximately one-third less credit for work under social security is now needed. Under the old law, for instance, a person reaching retirement age, or dying in 1960, would have needed credit for 18 or 19 calendar quarters of work under social security. Because of the amendments, however, credit for only 12 such quarters (about 3 years) is now needed.

Payments under the new law can be made beginning with the

month October. Anyone whose application for old-age or survivors insurance benefits has been denied because of insufficient work under social security, recontact the social security office. It will then be possible to check the worker's social security account to see if benefits are payable under the new law.

A leaflet, OASI-1960-1, may also be obtained from the Norfolk social security office explaining this and other changes in the law. The leaflet, which is free for the asking, has a chart showing how much credit is now required for benefits to be payable. If you are near the office, stop by and pick one up. If that is not possible, write or call, and a copy will be sent to you in the mail.

The President's budget. "Back door" appropriations authorized were: \$500 million for college housing loans, \$50 million for public facility housing loans, and \$300 million for direct veterans' loans.

Among the leading opponents of this financing practice are Rep. Smith (D-Va.), Chairman of the House Rules Committee; Rep. Cannon (D-Mo.), Chairman of the House Appropriations Committee; Senator Byrd (D-Va.), Chairman of the Senate Finance Committee; Senator Dirksen of Illinois, the Republican Senate Leader; and Senator Robertson (D-Va.), Chairman of the Senate Banking Committee.

President Eisenhower, too, is on record against the practice. Questioned at a news conference last year about borrowing from the Treasury to finance foreign development loans, he replied:

"I do not believe in borrowing for any purpose for this Federal Government in times of prosperity unless there is a great emergency facing us. I believe we must pay our way, and we should begin reducing this debt. If we don't we have almost unsolvable problems confronting us all the time."

Rep. Smith is author of a House Resolution to channel all spending bills through the Appropriations Committee. A hearing on the resolution was held by the House Rules Committee, but there was no further action.

A similar resolution is expected to be introduced when Congress reconvenes on January 3. Members of the economy bloc, whose oppose unessential Government spending, are seeking as much support as possible in the hope that the resolution will receive congressional approval early in 1961.

Rep. Cannon, urging favorable action, has pointed out that in 1959 the "back door" appropriations totaled \$5,701,000,000 and in 1958 \$4,542,000,000.

He added that 1958 was the year when "the Senate originated 10 'back door' bills and adopted 'back door' bills totalling \$9,226,000,000, covering the fields of housing, banking, small business, community facilities, depressed areas, minerals stabilization, airport grants, highways, veterans' loans, and defense production."

Calling the practice "reprehensible," he asserted that: "All the budgetary actions

ought to go through one procedure, one system, under the same set of rules. There should be only one door—the front door—through which money is removed from the Treasury."

SUNLAY SCHOOL LESSON

Cont'd. from Page 5—Section 2

of great temptation is usually difficult. Frequently emotions are running high; we are confused, and we are not at our best. To hesitate is fatal. It is then that we need a pre-determined course of action—a mind-set toward virtue. If we have this, we can be strong in the Lord. For the struggle against evil, we must gird our loins with truth. Then, and only then, can we overcome temptations.

Secondly, says Paul, put on the breastplate of righteousness. To put it another way—be busy doing good. Today, in this complex society in which we live, the opportunities for evil are plentiful and varied. Young people need to be kept sufficiently busy in wholesome work and play that they will not have time to get into trouble. They will need responsibilities, that will make them know they are assets to their families and to their communities. They will need discipline that makes them learn to bridle their impulses and channel their drives toward noble ends. The best protection youth can have against evil is the breastplate of righteousness. Keep them busy doing good. And this applies equally to adults, too.

Prayer is a Christian's mightiest weapon, and as such should not be neglected. It opens the channels through which God's power fills us, and it sustains and uplifts us. When our Lord himself was tempted, he resorted to prayer. How many times, when he was sorely tried, he withdrew from the multitude at the close of a difficult day to climb a hilltop; there he remained alone with the majesty and immensity of the heavens, and prayed. Then on that last dark night of his earthly life, he went to a garden to pray. We remember that always, when he returned, he was renewed, refreshed, cleansed and empowered.

We cannot peruse the Scrip-

IN MEMORIAM

In loving memory of my dear husband, Virgil Lewis, who died two years ago today, November 25, 1958.

Dearest husband, I miss your kind and loving care; My home is dark without you; I miss you everywhere. Time may pass and it changes fresh with every coming year; But your memory will be cherished in a heart that holds you dear.

His Devoted Wife, Mary Etta Lewis.

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

Opportunity Offered In U. S. Air Force

S-Sgt. Jimmie Skipper, local Air Force Recruiter, has announced that he now has an "Open Door to Opportunity" for young men and women interested in obtaining a college education while in the Air Force. Sgt. Skipper says that the Air Force calls this new program AEP (Airman Education and Commissioning Program).

Sgt. Skipper is now taking applications for regular enlistment in the Air Force. Persons qualified for regular enlistment, and already having two years of college, are encouraged to take advantage of this program; the Air Force makes provisions for all members to further their education regardless of their present education status. Many airmen have completed all work for full degrees while serving their country in the U. S. Air Force; this new program makes it much easier for men and women to get their degree faster. Write USAF Recruiting Office, Post Office Building, Greenville, N. C. Box 915.

New Books Arrive At Brown-Carver Library

The following news books have arrived at the Brown-Carver Library:

For Adult Readers: The Edge of Day by Lee; Minerals and Rocks by Ball; Bringing Up Children by Langdon; The White

debt to said estate please make immediate payment. This 20th day of October, 1960.

ADMINISTRATOR'S NOTICE Having qualified as administrator of the estate of Benjamin Leary, deceased, late of Chowan County, North Carolina, this is to notify all persons having claims against the estate of said deceased to present them to the undersigned within one year from date of this notice or same will be pleaded in bar of their recovery. All persons in-

Legal Notices

ADMINISTRATOR'S NOTICE Having qualified as administrator of the estate of Benjamin Leary, deceased, late of Chowan County, North Carolina, this is to notify all persons having claims against the estate of said deceased to present them to the undersigned within one year from date of this notice or same will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment. This 20th day of October, 1960. J. EDWARD CHARLTON, Administrator of Estate of Benjamin Leary. Oct20,27,Nov3,10,17,24c

EXECUTOR'S NOTICE Having qualified as Co-Executors of the estate of Mrs. Duncan Winston Wales, deceased, late of Chowan County, North Carolina, this is to notify all persons having claims against the estate of said deceased to present them to the undersigned within one year from date of this notice or same will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment. This 24th day of November, 1960. CHARLES P. WALES, BETTY W. SILVER, Executors of Mrs. Duncan Winston Wales Nov24,Dec1,8,15,22,29c

ADMINISTRATRIX NOTICE Having qualified as administratrix of the estate of Hubert

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debt to said estate please make immediate payment. This 20th day of October, 1960. GERALDINE T. WILLIFORD, Administratrix of Hubert B. Williford Oct20,27,Nov3,10,17,24c

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