

# This Is The Law By Robert E. Lee Coastal Act Caution Urged Weekly Legislative Summary

(Sponsored by The Lawyers of North Carolina)

### LEGITIMACY OF CHILD

John and Mary Jones have been married for a number of years. If the marriage is terminated by divorce or the death of John, how long afterwards is a child born to Mary considered the legitimate child of John?

A child born during wedlock or within a competent time thereafter is presumed legitimate.

This is one of the strongest presumptions known to the law, and can only be rebutted by irrefutable evidence showing that: (1) the husband was impotent (lacking the capacity for sexual intercourse); or, (2) the husband could not have had access to the mother during the period when conception must have occurred, or, (3) by blood-grouping tests which indicate that it would have been impossible for the husband to be the father of the wife's child.

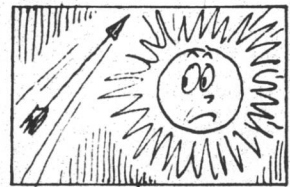
## Tagged Fish Worth Money

It looks like the herring run this year will be a bust, but one herring fisherman had a small piece of luck recently.

Nathan Bridges of Windsor, caught a \$25 herring in the Cashie River with a bow net, according to an official of the N. C. Division of Commercial and Sports Fisheries.

The fish had been tagged 28 days earlier in Croatan Sound by Fisheries Division biologists. The biologists are studying migration habits of the herring. The fish had traveled 83 miles.

The biologists tagged 6,300 herring this season. So far 40 tags have been returned. Rewards for tag returns usually are \$1 each, but there are some \$5, \$10, and \$25 tags.



Arrows were shot into the air by South American Indians during an eclipse to frighten the sun into shining again. (It always seemed to work, too!)

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## Agricultural News

### N. C. POULT HATCH UP 26 PER CENT

Heavy breed poult hatched during the week ended April 27, 1974 totaled 451,000—an increase of 26 per cent from the 357,000 hatched during the previous week. Eggs set during the week totaled 608,000, an increase of 38,000 eggs or 7 per cent from the previous week. A distinction between heavy and light breed eggs set could not be published this week to avoid disclosing individual operations.

### EIGHT STATE HATCH DOWN 6 PER CENT FROM LAST YEAR

In the eight states that have comparable data for the previous year, poult hatched totaled 3,121,000, down 6 per cent from last year and down 7 per cent from the previous week. Heavy breed poult hatched totaled 2,733,000, down 11 per cent from last year and light breeds hatched totaled 388,000, a 52 per cent increase from last season at this time.

Eggs set during the week in the eight states totaled 5,206,000, down 6 per cent from last year but up 4 per cent from last week. Heavy breed eggs set numbered 4,783,000, down 8 per cent from last year and light breed eggs numbered 423,000 a 35 per cent increase from last year.

### EGGS SET IN NINE PRINCIPAL STATES UP 4 PER CENT

For the nine principal states, eggs set during the week ended April 27, 1974, totaled 5,814,000, up 4 per cent from the previous week. Total poult hatched in the nine states totaled 3,572,000, down 4 per cent from the previous week. The total hatch included 3,184,000 heavy breeds and 388,000 light breed poult.

### NARFE MEETING

There will be a meeting of the National Association of Retired Federal Employees Friday, 2:30 P.M. in the REA Building, Hertford. All federal retirees are urged to attend.

### At a retrial of the case in the Superior Court, a physician, specializing in internal medicine, testified that there are medical records of thousand of children having been born after a gestation of more than 322 days, and that a 322-day baby, while being considered uncommon, was not extraordinary. The jury found in favor of the legitimacy of the child.

## Coastal Act Caution Urged

### WASHINGTON—The controversy surrounding North Carolina's recently enacted Coastal Management Act has been cited here before a congressional committee as justification for a "go slow" approach to federal land use legislation.

The North Carolina Forestry Association has released a statement presented on its behalf last week to the House Environment Sub-Committee relative to H. R. 10294...the so-called Udall Land Use Bill. The measure would impose stringent controls on the use of private lands throughout the Nation.

John H. Weatherly of Newton, spokesman for the Tar Heel forestry group, urged that field hearings be scheduled on the proposed legislation prior to consideration on the floor of the House. He cited the State's experience during the recently adjourned General Assembly in urging caution.

"As introduced," Weatherly told the congressional subcommittee, "the Coastal Management Act directed policy and authority from the state level. As enacted, the local elected officials will largely determine policy and administer provisions of the Act. The issue was state versus local control," Weatherly stressed.

"Local people were appalled to learn that non-elected appointees from one hundred miles away, who owned no local and paid no local taxes, were going to dictate what was to happen to local owners' property rights. Opposition to that kind of control was vigorous. Response by legislators was dramatic," Weatherly said.

In its final form the new North Carolina law provides for strong local input relative to land use restrictions in coastal areas of environmental concern.

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building at ECU and to plan for the medical school's expansion. The legislature also agreed to fund the Board of Governors area health education centers program but without money for resident housing.

Early in the session the House voted for removal of the property tax on business inventories, and late in the session proposals to remove the sales tax were revived but no major tax changes made it to ratification. Most of the tax legislation considered centered on the property tax, which was predictable since those statutes had been subject to considerable revision in 1973.

Veterans organizations and groups like the Masons received exemptions, as did pet dogs, and churches had the process simplified for them to be exempted. Banks will now be taxed under the corporate income tax statutes.

In a matter that stirred considerable controversy, it was decided to remove the statutory limits on interest rates for first mortgage home loans. The rates will be determined by market competition for the next year.

The severe local shortage of gasoline helped spark a flood of legislation concerned with the energy crisis but very little of it was enacted. In fact, of the almost three dozen bills that might be said to be in response to the energy crisis, only five were finally enacted and two of those were resolutions. A new Energy Division was already created within the Department of Military and Veterans Affairs (affirming an already accomplished fact), the Governor was given some additional authority to deal with road blockades, and county and city authority to cooperate in mass transit systems was expanded, but almost every other proposal was rejected.

Last year, the first with a

Republican Governor and Democratic legislature, there had been considerable discussion of personnel matters, and the interest had continued in the interim with the appointment of a special Senate committee to investigate administration hiring and firing policies. But little of what was proposed ended up being enacted. The legislation to create a new commission to supervise the Highway Patrol died for lack of action, as did proposals to transfer the Department of Correction to the Attorney General and to have the Secretary of Transportation made an elective office. None of the bills prepared by the special Senate committee were passed.

On the last day of the session the legislators did ratify a bill to remove the State Board of Elections from the control of the Secretary of State and make it an independent agency with the powers of a principal department. On the day before final passage a provision was added to extend the appointment of the present Executive Secretary of the State Board until May 15, 1977.

### Other new legislation

The other new legislation passed by the 1974 General Assembly covers the usual broad range of subjects. Some have been previously discussed and will not be mentioned again here. As usual, many of the bills considered had to do with the motor vehicle law. In addition to an extensive revision of the rules of the road, legislation was enacted which will allow right turns on red lights unless

the local government prohibits it by ordinance and posts a sign to that effect (beginning July 1). Starting June 1, drivers who have not been convicted of or received a prayer for judgment continued for a driving offense within the preceding four years will be exempted from taking the written or road test to get a license renewed. Next January 1st, state law will prohibit raising or lowering the front or back end of a vehicle over six inches without the prior written approval of the Commissioner of Motor Vehicles. And a bill passed which directs the Department to start switching to auto tags usable for more than one year.

The major criminal law legislation other than the pretrial code and capital punishment was the new anti-obscenity law to go into effect on July 1. The bill makes prosecutions easier in that community standards are to be taken into account in determining what is obscene (as permitted by a Supreme Court decision last year) but the requirements for hearings before taking action were tightened. A new offense of extortion was enacted but the common law crime of suicide was abolished, the effect of which is also to abolish the crime of attempted suicide. An Inmate Grievance Commission was created for the Department of Correction, and procedures were established for removing records of misdemeanor drug possession offenses for those under 21 who are found innocent or have the charge dismissed. The powers

of the State Drug Authority were also revised but proposals for changes in drug law punishments failed.

The 1973 statutes on voluntary and involuntary mental commitments and on mental patients' rights were rewritten to remove many of the objections of those faced with administering the law, generally to loosen the procedural requirements.

As seems to happen each session now, the statute on residency for purposes of tuition at state universities was once again rewritten.

A variety of new legislation is concerned with children with particular problems. A commission was established to deal with the problems of children with special needs, as was a council for exceptional children. For juveniles who get into trouble, legislation was enacted to create a system of homes to replace jails as places of detention, and the duties of the Administrative Office of the Courts to provide a uniform system of juvenile probation and aftercare (to be the responsibility of a new division in the AOC) were spelled out.

The revision of the administration of estates statutes finally passed, as did a new administrative procedure act. The state's tort liability was raised and the statutes on making wine and beer for one's own use were loosened. Use of welfare lists for political purposes was restricted and a statute was added prohibiting the denial of credit to a woman if a man would have received it under the same circumstances.

The powers

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### ANNOUNCES

A six week course in the "FUNDAMENTALS OF REAL ESTATE." The first class will meet at 7:00 P. M. Monday, May 13th at the American Legion Building on St. Andrews Street in GREENVILLE, N. C. (across from the Beef Barn and just off 284 Bypass near Nichols Discount). Classes will meet each Monday and Wednesday from 7:00 to 10:00 P. M. The first class is FREE!

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## Social Security Administration News

### By: DON MORRIS Field Representative

Some employers won't hire people unless they have a social security number so students and others planning to get summer jobs should apply for a number now if they don't already have one.

Delaying your application might prevent your employment or cause you to lose time and wages in a job requiring a social security number. When you don't recall having had a social security number before, your application is screened against central files in Baltimore to make sure a second number isn't issued to you—and screening takes time.

You should apply for your social security number at least several weeks before you need it for a job. You can get information about applying by calling, writing, or visiting any

social security office. A worker builds disability, survivors, retirement, and Medicare protection by work and earnings credited to his social security number. He gets credit if he's paid \$50 or more in a 3-month calendar quarter in work covered by social security.

More than nine out of 10 jobs covered by social security. Your social security number is yours alone and remains the same for life. When you get a job covered by social security be sure your employer copies your name and number correctly from your social security card to his records.

People applying for a social security number for the first time may be asked to prove their age, identity, and citizenship. The Elizabeth City social security office phone number is 338-2161.

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## WOMAN'S DAY SPEAKER

Dr. Elizabeth Luton Barnes, Edenton, N. C.

- 2nd Sunday in May, Mother's Day and Woman's Day combined, Shiloh Methodist Church, Windsor, N. C.
- 3rd Sunday in May, Woman's Day, Shiloh Baptist Church, Williamston, N. C.
- 4th Sunday in May, Woman's Day, Pleasant Grove Methodist Church, Edenton, N. C.
- 2nd Sunday in August, Woman's Day, St. Paul Methodist Church, Hertford, N. C.

Woman's Day plans are being made for August, also for both Norfolk, Va., and Washington, D. C.

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<b>BC HEADACHE + COLDS FAST PAIN RELIEF TAMPON PACK</b> 24's Compare at .89 Value 56c	<b>SEA BREEZE ANTISEPTIC</b> 4 1/2 oz. Size Compare at 1.29 Value 69c	<b>Sunbeam Professional type Hooded Hair Dryer</b> Model HD39 With Built-In Heat Control Dark Blue • White • Silver FOR THE GRAD. \$15.88	<b>Remington 600 Super Hand Held Hair Dryer</b> Compare at 22.98 FOR THE GRAD. \$15.88	<b>QT LOTION</b> 8 oz. Size Compare at 1.29 Value \$1.78
<b>ADORN Hair Spray</b> 7.5 oz. Size Compare at 1.33 Value \$1.33	<b>Johnson's NO MORE TANGLES</b> 7 oz. Size A 1.99 Value Value 89c	<b>Sunbeam Ladies Shaver</b> Model L398 Compare at 22.95 FOR THE GRAD. \$14.88	<b>Epcos Travel &amp; Utility Kit</b> Model No. 2000 Compare at 6.95 FOR THE GRAD. \$3.99	<b>Old Spice Slick Deodorant</b> Chest 1.75 Chest 77c
<b>Listerine Antiseptic</b> 22 oz. Size Compare at 2.49 Value \$1.48	<b>AMMENS POWDER</b> 11 oz. Size Compare at 1.29 Value 99c	<b>Johnson's Sensitive Toothpaste</b> 4 oz. Size Compare at 1.39 Value 99c	<b>Shower to Shower Body Powder</b> 8 oz. Size Compare at .99 Value 57c	<b>NOXZEMA Skin Cream</b> 2.5 oz. Size Compare at 1.19 Value \$1.19
<b>SUFFERIN TABLETS</b> 227's Compare at 3.71 Value \$2.98	<b>Bath Soak</b> 10 oz. Size Compare at 1.19 Value 69c	<b>Basal</b> 10 oz. Size Compare at 1.19 Value 69c	<b>Lotion</b> 10 oz. Size Compare at 1.29 Value 77c	<b>Johnson's Baby Shampoo</b> 11 oz. Size Compare at 1.29 Value \$1.19

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