

Agriculturally Speaking

Ownership Of Land Creates Potential Liability, Says Reams

By FRANK REAMS
County Ext. Chairman
COMING EVENTS

Nov. 12-15: Annual Meeting N. C. Farm Bureau, Jack Tar, Durham.

Nov. 13: Inez Community Club meets 7:30 p. m.

Nov. 17: Roanoke River Basin Association Annual meeting, Roanoke, Va.

Nov. 17: Annual meeting CADA, Campbell College, 7:00 p. m.

FISHING-HUNTING

There have been increased efforts made in the past few years to get landowners to share their property with the recreating public. The federal government under the Cropland Adjustment Program has initiated a subsidy payment to landowners who open their property for public hunting and fishing. There has also been considerable interest shown in the opportunities for landowners to enter the private outdoor recreation business. Regardless of how the landowner welcomes those who enter his property, he should consider the possibility of injury occurring to them.

Ownership of land creates a potential liability. Expressions of implied invitation to use the premises further increases the liability for injuries occasioned by failure to use ordinary care in keeping the premises safe. In general, liability claims have tended to be negligible in number. However, landowners should be aware of the obligations owed to the three categories of visitors on his premises; the invitee, the licensee, and the trespasser.

The Invitee

Usually an invitee is considered to be a person who has paid a fee to enter upon the land. A hunter or fisherman who pays a fee for permission to hunt or fish on the possessor's property is an example of the invitee. Those who place money in an "honor box" for the privilege of using a facility, though not under supervision, are also classed as invitees.

The possessor of the land has a duty to exercise ordinary care to prevent injury to the invitee. He is liable for certain acts of negligence which result in injury to the invitee. The possessor is also responsible for the behavior of the invitee as it relates to other invitees.

The Licensee

The licensee is a person who enters the premises for his own purpose and with the implied or expressed consent of the possessor. The possessor is under no duty to make the premises safe to

warn of dangerous conditions unless he knows they exist and they are concealed. The licensee assumes the risk of injury from the normal activities when he enters the land.

The Trespasser

A trespasser is a person who comes upon the possessor's property without permission. His action constitutes a trespass.

The possessor generally owes a trespasser no duty to discover, remedy or warn of natural conditions. However in respect to all trespassers, the possessor may not arrange his premises intentionally so as to cause death or serious bodily injury to a trespasser. The trespasser may be evicted from the premises at the absolute discretion of the possessor of land so long as no more than normal force is used.

The Attractive Nuisance Doctrine

This doctrine applies when there is an attraction and children are induced to come upon the land because of this attraction. Examples of attractive nuisances are swimming pools, beehives, wells, machinery, and recreation facilities. A landowner's duty to a child trespasser involves the duty of care or removal of an attractive nuisance. Where child trespass is foreseeable, it is negligence to leave inviting things accessible to them.

Limiting Liability

North Carolina has enacted "liability reducing" legislation to encourage landowners to permit free public use of their lands. This statute is not applicable if an owner

charges an entrance or use fee. It also does not nullify nor limit the doctrine of attractive nuisance, nor does it absolve a person if he owes a duty to keep the premises safe or to warn of danger. This "liability reducing" law was passed in 1963, and thus far has not been tested in the courts.

A landowner may limit the possibility of liability claims by promoting safety and by posting warnings of hazards and unsafe conditions.

He may transfer the liability risk by obtaining adequate liability insurance or incorporating the enterprise. Liability insurance does not eliminate risks but rather shifts them, to the extent of the policy limits, to a professional risk bearer. Incorporation limits recovery for a liability claim to the extent of the value of the corporate assets. There may be some problems involved in incorporating the enterprise, and the advice of an attorney and a business analyst is desirable.

The public should be aware that rights to enter upon private property are a privilege and constructive cooperation will benefit all.

It is a perplexing situation, when you invite people on your property or knowingly allow them to visit or tread thereon, you may end up in a lawsuit. A lot of people look down their noses at property owners that post "no trespassing" signs; on the other hand, the owner may be attempting to prevent a tragic situation.

This reminds me of the story of the patient in the hospital when he heard foot steps down the hall saying "friend or enemy."

Snow Hill Homemakers Hold Fellowship Service

The Snow Hill Extension Homemakers Club held its Annual Fellowship Service and Tea, Sunday, Nov. 5, at 2:30 p. m., in the Snow Hill Baptist Church. The Service and Tea were held in honor of the senior and disabled citizens in the Snow Hill Community.

Included in the program, over which Mrs. Melvin Tunstall presided, were a welcome address by Mrs. Wilbert Daniel, and readings by Mrs. Alfred Plummer and Mrs. Harvey Tunstall. The main feature of the program was an address by Mrs. R. E. Ransom. Mrs. Ransom reminded the citizens that "the best is yet to be"; with pleasant attitudes, senior citi-

zens can be useful in the community in which they live; and there are many ways by which they can entertain themselves. She also told the audience that one should "seek gifts of living," by praying for (1) the task, (2) courage to face the task, (3) good cheer, and (4) inward love for fellowman.

After some remarks by Mrs. J. W. Walton, former Director of the School of Nursing in the State of New York and Mrs. Bertha B. Forte, Home Economics Extension Agent, the group was served refreshments in the dining-room of the church. Refreshments consisted of ham biscuits, cookies, Russian Tea, mints and nuts. The senior and disabled



A large crowd attended the turkey and ham supper, sponsored by the Drewry Rural Fire Department, at the Community House on last Friday night. Pictured are a few of those attending loading their plates with delicious food.

Temple Emanu-El To Hold Special Service

Temple Emanu-El, Weldon, North Carolina, will make a memorable few days this weekend. This Temple serves as the Synagogue Center for the Jews of Weldon, Roanoke Rapids, Warrenton, Scotland Neck and Jackson, North Carolina and Emporia, Virginia. During the period of November 10-12, these communities will observe the thirteenth anniversary of the present Synagogue Building and the fifty-fifth anniversary of the congregation's founding.

Fittingly, the celebration will be ushered in by services and activities related to the Bas Mitzvah, the coming to religious majority, of Maralyn Farber, granddaughter of one of the Temple's founding fathers, Henry Farber, niece of long-standing Temple President, Ellis Farber, and daughter of Mr. and Mrs. Morton Farber of Country Club Drive, Weldon.

In honor of the Temple's anniversaries, Weldon will be host on Sunday, November 12, to a regional meeting of the Board of Directors of the N. C. Association of Jewish Men and the N. C. Association of Jewish Women. This meeting will begin at 10 a. m. at the Holiday Inn in Roanoke Rapids, and will be presided

over by Mr. William Schwartz N. C. A. J. M. Association President, of Wilmington, and Mrs. Theodore Saint, N. C. A. J. W. of Hickory.

The N. C. Association sponsors the Circuit Riding Rabbi Program through which Jews of small communities are provided spiritual guidance. Dr. William B. Furie, now serving as Spiritual Leader of Temple Emanu-El for more than five years, is one of the Association's Circuit Riders. After the meeting, a luncheon will be tendered the Board and guests at 12:30 at the Holiday Inn.

At five o'clock in the afternoon, a special Service of Rededication will be held at the Temple, 8th and Sycamore Streets, Weldon. Dr. Furie will conduct this service. Also participating in the service will be Dr. I. D. Blumenthal, Board of Directors Chairman of the N. C. Association of Jewish Men, Mrs. Theodore Samet, of the N. C. Association of Jewish Women, Ellis Farber, Temple President, Robert G. Liverman, of the Temple Board, Mrs. Harry

Freid, of the Sisterhood Board, Lynette Szabo, representing the Temple Youth, and other guests.

Following the Rededication service, the Congregation will enjoy a Dinner at the Holiday Inn, beginning at 6:30 o'clock. During the meal a program of Jewish musical entertainment will be presented under the direction of Ethel Richmond Eventoff, of Baltimore, Md. Master of Ceremonies during the meal's festivities will be Isadore Novy

of Emporia, Va. Joyous socialization will bring to a close the historic Temple Emanu-El weekend, in which many will come from out of town to join the members of the Congregation. Mr. William Kitten is Chairman of the Committee on Arrangement.

ATTENDS MEETING

Dr. Charles Bunch, surgeon at Warren General Hospital, attended the North Carolina Cancer Society and Board of Directors meeting in Charlotte Oct. 28-29.

Myrick Funeral Held On Tuesday

Miss Carrie Myrick of Littleton, retired school teacher, died Sunday at 11:30 a. m. in Duke Hospital, Durham, following a lengthy illness.

Funeral services were conducted Tuesday at 2 p. m. in her home on Mosby avenue in Littleton. Officiating was the Rev. O. V. Elkins and interment was in Sunset Hills cemetery in Littleton.

Born January 13, 1898 in Littleton, Miss Myrick was the daughter of the late John Jesse Myrick and Emma Brown Harris Myrick. She was a public school teacher for many years and a member of the Methodist Church in Littleton.

Surviving are three sisters, Mrs. P. H. Rose of Henderson, Mrs. Alice Browning of the home in Littleton, and Mrs. R. B. Parker, Sr., of Enfield; a number of nieces, including several in Henderson; Mrs. L. H. Harvin, Jr., Mrs. W. J. Vaughan and Mrs. John T. Church; several nephews and a number of great nieces and nephews.

VISITS MRS. DAVIS

Recent visitors of Mrs. Roy Davis at Vance Manor Nursing Home in Henderson were Mrs. P. M. Allen, Sr., of Washington, D. C., Mrs. Frank C. Allen of Falls Church, Va., Mrs. H. M. Bass, Sr., of Henderson, Mr. and Mrs. Frank Brown Allen of Norfolk, Va., and Mr. and Mrs. John Garrett and Mrs. Wharton Moore of Warrenton.

Mrs. Theron Ralston of New Hope, Va., was a weekend guest of Miss Elizabeth Allen.

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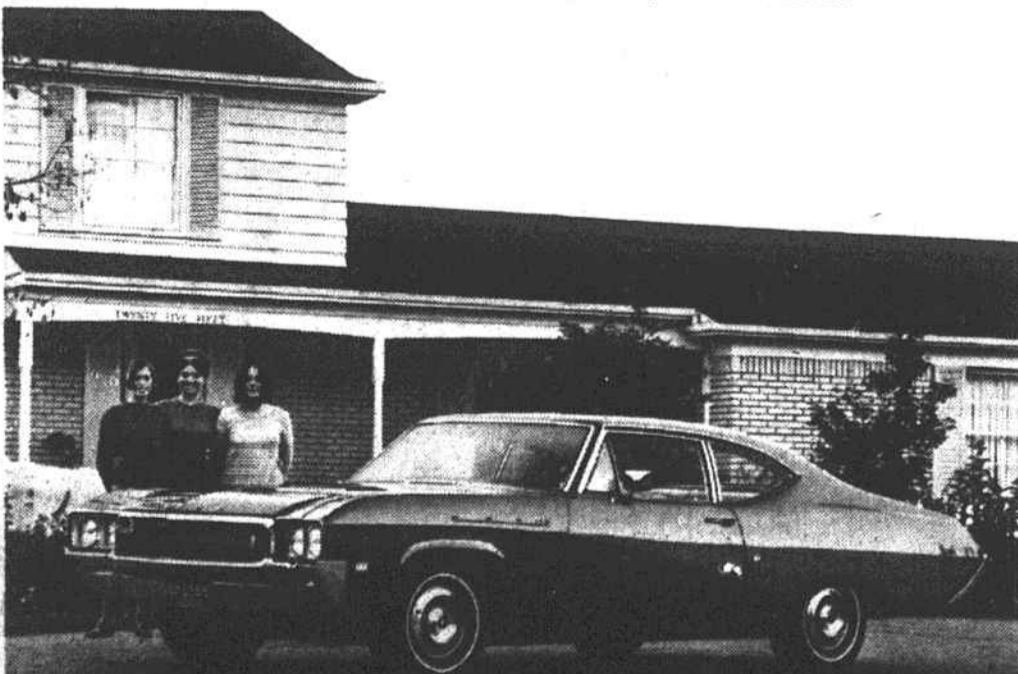
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Garden Club Meets With Mrs. Brown

Mrs. E. M. Brown was hostess for the regular monthly meeting of the Town 'N' Country Garden Club at her home on Macon Street on Nov. 1st. The president, Mrs. A. M. Alston, presided during the business session. Reports were heard from the project committee; the yearbook committee and the budget committee, general plans for projects for 1967-68 were discussed and the change of the Annual Garden Club Sunday observed throughout the State.

Mrs. Brown gave a demonstration on "Lines in Flower Arranging." She made beautiful arrangements using the three basic types of flower arrangements - the S-Curve (better known as Hogarth), Crescent and Triangle. Using charts, she showed how other arrangements - the Side-Triangle, Oval, Perpendicular and Half-Circle could easily be made. Mrs. Brown suggested several types of flowers suitable for forming lines, for fillers and focal points of interest to complete arrangements.

During the social hour, a salad course was served to Mesdames Jessie Walton, E. W. Harris, V. C. Henderson, A. M. Alston, S. H. Brown and C. H. Hawkins by the hostess.