

# THIS IS THE LAW



land is located. Such a deed is a deed of gift (that is, one for which nothing is paid).

The law requires that a deed of gift be recorded within "two years from the date of its execution." The term "execution" includes delivery of the deed to the grantee, who is the person to whom title to the property passes. A deed of gift may be perfectly good when executed and may pass title to the grantee, but if such deed is not recorded within two years from the date of execution, it becomes void and title to the property conveyed by the deed goes back to the grantors in the deed, or to their heirs.

**A Protective Law**  
The law which provides for this reversion of title may seem a harsh one, but it was enacted to prevent greater evils. For example, look at the case of a man who had four children and decided to convey to each of them a tract of land. Prior to the time of delivery of the deeds, a daughter became seriously ill and it was not known whether she would ever recover. So the father decided to retain the deeds until the condition of her health was known, having in mind that he might need to retain the property to care for the sick daughter if her illness continued. The father died without ever having delivered any of the deeds. An unscrupulous son knew where the deeds were kept and destroyed all of them except the one conveying a tract of land to himself. He thereby gained for himself the title to the land described in the deed and an equal share in his father's remaining property, unless the remainder was apportioned by will. Then this son claimed that the father delivered the deed to him and fabricated some excuse for having kept the matter a secret from the other children. If such excuse seemed reasonable, few juries would be likely to set the deed aside unless the other children could prove

that the deed was not delivered. But if this unscrupulous son claimed that the deed was delivered at a date prior to two years, he would talk himself out of court and out of the tract of land described in the deed.

**Recording Important**  
Whether a deed is delivered as a gift or for value received, it is important that it be recorded by the Register of Deeds in the county where the land lies if the grantee is to protect his title. If the purchaser fails to record his deed, the seller may convey the same land to a second purchaser, and if the second records his deed first, the property becomes his.

On the other hand, if the purchaser fails to record his deed and a creditor of the seller places a judgment on the record against the land of the purchaser, and this land may be sold to satisfy the judgment.

Often a buyer neglects to record his deed because he feels that the seller is so wealthy that no actual risk exists. The depression of the thirties taught us that few men are beyond becoming insolvent since most businesses are operated on a credit basis.

In addition, recent tax cases have shown that some men of apparent wealth have accumulated money through failure to declare and pay their income taxes. In such event the federal government files a tax lien and this lien attaches to the property conveyed by unrecorded deeds.

**Checks The Record**  
In examining the title to real property, the attorney checks the record of the seller until the date the deed from him is recorded, regardless of the date that it was written and signed. He determines whether every deed or other instrument affecting the title to the property has been properly drawn and recorded within the time required by law. Upon determining that the title is clear, your deed should be recorded so that no act by any other person may thereafter encumber the title to the property purchased. The recording of your deed also protects your title in the event of loss of the original deed.

## Legal Notices

### ADMINISTRATOR'S NOTICE

Having qualified as administrator of the estate of C. H. Joyner, deceased, late of Duplin County, North Carolina, this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned at 902 North Carolina Street, Goldsboro, N. C., on or before the 25th day of March, 1954, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment.

This the 20th day of March, 1954.  
Alton Joyner  
Administrator of C. H. Joyner  
4-29-54 a. j.

### NOTICE TO CREDITORS

Having qualified as Executor of the estate of Lucy C. W. Manley, deceased, late of Duplin County, North Carolina, this is to notify all persons having claims against the estate of said deceased to exhibit them to the undersigned, at Warsaw, N. C., on or before the 28th day of March, 1954, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment.

This the 20th day of March, 1954.  
Fred D. Williams, Executor of the estate of Lucy C. W. Manley, Deed.  
E. Walker Stevens, Attorney.  
4-29-54 e.w.s.

### NOTICE OF ADMINISTRATION

The undersigned, having qualified as administrator of the estate of C. B. Kennedy, deceased, late of Duplin County, this is to notify all persons having claims against said estate to present them to the undersigned on or before the 23rd day of March, 1954 or this notice will be pleaded in bar of the recovery. All persons indebted to said estate will please make immediate payment to the undersigned.

This the 23rd day of March, 1954.  
Charles E. Baker, Administrator of estate of C. B. Kennedy, Deceased, Pink Hill, N. C.  
H. E. Phillips, Attorney  
Kenansville, N. C.  
5-4-54 h.e.p.

### Presbyterian

Directors of the Presbyterian Synod of North Carolina Educational Institutions Survey are on the job full time, according to Dr. Harold J. Dudley, General Secretary and present Moderator of the Synod. Dr. Donald C. Agnew, of Oglethorpe University, Atlanta, Georgia, recently joined Dr. Roger P. McCutcheon, Dean of the Graduate School, Tulane University, New Orleans, who is Director of the study. Dr. Agnew is assistant to Dr. McCutcheon.

Recently members of the Advisory Council and appointed members of the Synod's Commission Convened in Charlotte to hear the first progress report of the Directors. More than two days of study and discussion were given to the project, and members of the Council visited Queens College in Charlotte and Davidson College to observe first-hand the educational programs of the two institutions. Later a part of the Council traveled to

## Coast Guard Recruiting Open

"We're wide open for recruits," Chief Radarman C. L. C. Lewis, officer-in-charge of the U. S. Coast Guard's Wilmington recruiting office, said today, "but the trouble is that since recruiting was shut down for a couple of months recently, lots of prospective recruits think we're still closed and don't bother to contact us when they're thing of entering military service."

Lewis made the statement as Coast Guard recruiters all over the Fifth Coast Guard District set out to round up recruits to meet the service's greatly increased monthly personnel quotas.

"Right now we're looking for men between the ages of 17 and 25 to join the Coast Guard. We feel that one of our service's biggest attractions to young men is its small size - about 30,000 men all told - which makes for a tighter knit and more informal organization."

He said that all new enlistments in the Coast Guard are for a period of four years, and emphasized that former servicemen can enlist even if they don't fall within the 17 to 25 age group.

It was also pointed out that many ex-Coast Guard and Navy men can join the Coast Guard with their old rates.

"All our new recruits are sent to the Recruiting Center at Cape May, N. J. for three months of recruit training where they get a little of everything, from gunnery to boat handling," Lewis said.

Following their training, according to the Coast Guardsman, many recruits are assigned to special service schools at Groton, Conn., and elsewhere while head to petty officer ratings, including those of engineering, radioman, electronic's technician, yeoman and hospitalman.

## Plant To Last Row Farmers Advised

Raleigh, April 22 Underplanting cotton acreage allotments can be a costly mistake this year, according to M. G. Mann, general manager of the N. C. Cotton Growers Association.

The farmer who underplants, even though he thought he was planting his full allotment, will lose in two ways, Mann said. First, he will lose the income from the unplanted portion.

Second, his future allotments will be affected if his underplanted acreage is more than 10 per cent of his allotment or one acre, which ever is the larger. This would also mean a total allotment to the county and state, Mann said.

Having the land measured accurately can prevent much of this unintentional underplanting, the cotton leader explained.

For a fee, the county ASC office will pre-measure the allotment and allow this as the official measurement for compliance.

Mann also pointed out that most communities have residents who know how to measure land and that the services of these men could be obtained to stake out the prescribed limits.

"Guessing acreage can be a dangerous practice when so much is involved," Mann said. "It seems reasonable to assume that our cotton acreage will be cut again next year, and if we lose valuable through underplanting this year, our problem of maintaining farm income will become even more serious."

## Plant To Last Row Farmers Advised

Statesville and Banner Elk to visit respectively Mitchell College and Lees-McRae College.

The survey includes all seven of the educational institutions supported by the Synod and Lees-McRae College, partly supported by Concord Presbytery institutions included besides those mentioned are Flora Macdonald College, Raleigh; and Glade Valley School, Sparta.

No tangible report will be available from the study group until 1955. In the meantime, no phase of the educational program is being overlooked in the study. Experts who already have been called into the study include Dr. Paul B. Sears, Professor of Botany, Yale University, in the field of science; Dean Noble Hendrix of the University of Alabama, campus student life activities; and Dr. Hoyt Blackwell, President of Mars Hill College, junior colleges. Other specialists who will participate in the study include Dr. Taylor Cole, Professor of Political Science, Duke University; and Dr. Myron F. Wicks, of the department of Higher Education, the Methodist Church, Nashville, Tennessee, specialist in religious life and program on the college campus.

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Other new men are stationed aboard Coast Guard cutters engaged in offshore rescue work, weather patrol and ice patrol, while some men are first assigned to Coast Guard bases, air stations and other shore installations generally somewhere in the United States or its possessions.

"These who don't go directly to service school," Lewis said, "have many chances to be sent to school later on, or even get their rates wherever they may be stationed." The Coast Guard's nearest recruiting office is located in the Custom House, Wilmington. Other recruiting offices are in Durham, Norfolk and Baltimore.

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## Accident Summary

RALEIGH - The Motor Vehicle Department today issued a final summary of 1953 traffic deaths. It listed 1,118 fatalities and 15,171 injuries.

Leading the fatality toll was Mecklenburg County with 51 deaths including six Charlotte pedestrians. Guilford's record was slightly better with 46 and Robeson was in third place with 44.

Running off the road accounted for the greatest number of dead the department noted. In the 8,033 cases of running off the road reported, 850 persons died.

There were 244 pedestrian deaths during the year including 32 children under five.

Speeding, driving on the wrong side of the road, and drinking were the principle driver violations listed in the fatal accident column. Excessive speed was involved in 381 fatal mishaps; driving on the wrong side of the road in 93; and drinking in 86 cases.

Saturday continued to be the most hazardous day for travel with 281 deaths occurring on Saturdays throughout the year.

The report listed a total of 45,777 motor accidents for the year. The year end report was prepared by the Highway Safety Division's Statistical Section under the direction of James E. Civils.

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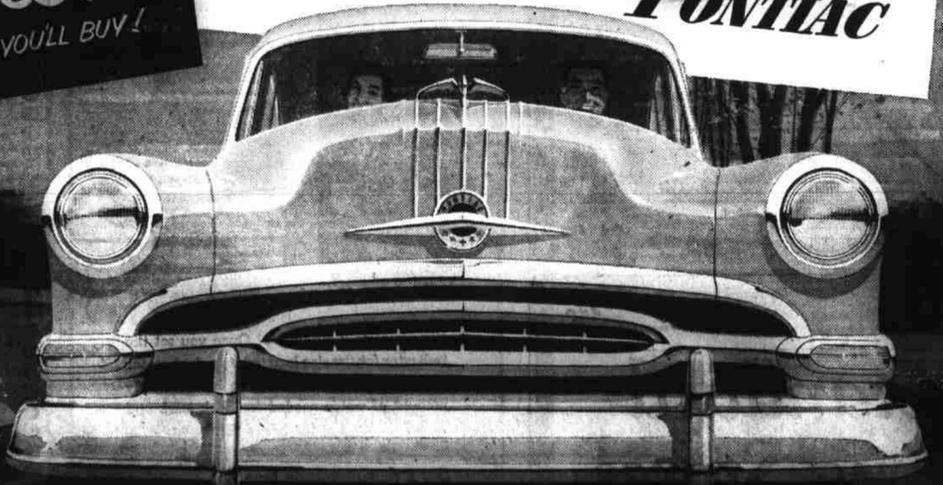
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tireless driving. You rest when you ride in a Pontiac. You are at ease in every way. But these are just words—and you want action. You can get it right now! Come in . . . drive a Pontiac and let the car prove that a price near the lowest buys genuine fine-car performance.

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