

Caucus Sues OMB, Ash

WASHINGTON, D.C. - Congressman Charlie Rose, D-N.C., is one of 15 members of the Congressional Rural Caucus who brought suit against the Office of Management and Budget (OMB) and its director, Roy Ash, seeking release of nearly \$4.5 billion in impounded funds.

The suit, filed in United States district court in the District of Columbia, seeks release of funds which Congress appropriated for nine important domestic programs.

The complaints state Ash "repeatedly and systematically frustrated the effectuation of these (programs) by withholding appropriated funds and other obligatory authority from each of these programs and by unilaterally terminating some of the programs" which is in direct violation of the intent of Congress.

Programs involved include funds to solve some of the most urgent domestic needs such as water, waste disposal, and sewer systems for both urban and rural blight and deterioration, to provide urgently needed open-space areas, to preserve and restore vital wetlands, to assist the development of new communities, and to provide the highways which are particularly critical to this nation's rural areas.

The complaint alleges that Ash, while seriously impairing Congress' power to appropriate funds for use in the programs, has also allegedly violated federal laws governing the relationship between the executive branch and Congress including the Antideficiency Act of 1950, the Reorganization Act of 1949, and the Federal Information and Impoundment Act. The complain asks the court to declare that Ash violated those laws and seeks an order compelling him to release the impounded funds.

Congressmen joining in the suit are Representatives John C. Breckinridge, Ky., Bill Alexander, Ark., Bob Bergland, Minn., Frank E. Evans, Colo., Jerry Litton, Mo., Gillis Long, La., Clem McSpadden, Okla., Charlie Rose, N.C., and Charles Wilson, Texas.

They have the backing of five other members of the Congressional Rural Caucus for use of the Caucus' name in bringing the suit.



CITY WINNER - The yard of Mr. and Mrs. James Wood, East Prospect Avenue, was selected as yard of the week in the city by the Raeford Woman's Club Garden Department. (N-J Photo)



YARD OF THE WEEK - Selected as county yard of the week by the Raeford Woman's Club Garden department was the yard of Mr. and Mrs. Woodrow W. Walker, Arabia Road. (N-J Photo)



WORK BEGINS - Site of new board of education building shows construction changes as work begins on Woolley Street land south of Harris Ave. Chisholm Construction Co., Rockingham are general contractors for the \$185,935 building. Their low bid on the project was \$107,360. Hayes-Howell and Associates are architects for the project. Completion time for the building was set at 240 days. (N-J Photo)



CLEAN SWEEP - Mrs. Sarah Leach, separates material gathered by Raeford Elementary students as their part of Clean Sweep '74. The students took trash, bottles and cans to school Friday. The material must be sorted for proper disposal.



MINORITIES CLASS PROJECT - Robert R. Snipes, right, and some of 59 students in his minorities class at Hoke County High School stand by displayed materials included in black America project. Class curriculum includes studies on American Indians, Mexican, Puerto Rican, Jewish, Catholic and Oriental Americans as well as studies on American poor. (N-J Photo)

This Is The Law

INSANE PERSONS

May an insane person be sued for the damages that he has caused to the property or person of another?

Yes. An insane person is liable in a civil action for the actual damages that he has caused to the property or person of another.

You may, for example, recover compensatory damages from an insane person if he destroys your property, steals your property or wrongfully converts it to his use, trespasses upon your property, or causes bodily injury to you. It has even been held that an action for wrongful death may be brought against one who is insane.

There has been said to be nothing wrong or unjust in giving compensation for the actual loss resulting from an injury inflicted by a lunatic. Punishment is not the object of a civil action; it has for its object the compensation of the party injured.

If an insane person is not held in a civil action for damages, those interested in his estate, as relatives or otherwise, might not have sufficient motive to so take care of him as to deprive him of opportunities for inflicting injuries to others.

An insane person is not liable, however, for those torts or civil wrongs of which malice is an essential element, such as libel or slander. Punitive damages can never be recovered against an insane person.

May an insane be convicted of a crime?

No. The law does not punish a person in a criminal proceeding if he was so insane at the time the act was done as to be incapable of determining between right and wrong.

The law presumes every person sane. The defendant who relies upon insanity as a defense must introduce evidence of his insanity.

What happens if a person commits a crime while sane but subsequently becomes insane before the date of his trial?

This fact does not render him not guilty of the crime. But he cannot be arraigned and tried while he is insane. The reason is that an insane person cannot properly defend himself.

Such insanity, however, does not prevent his being tried and punished if he subsequently becomes sane.

A sane person properly executes a will. Subsequently he becomes insane and continues so until his death. Is his will valid?

Yes. If a person possesses a sound mind, or what lawyers call "testamentary capacity," at the time of the execution of his will, his subsequent insanity will not invalidate the will.

Deaths And Funerals

Mrs. Rowena Washington
Funeral services for Mrs. Rowena Washington were conducted Sunday at the Silver Grove Baptist Church by the Rev. W.K. Mitchell with burial in the church cemetery.

Surviving are her widower Roman Washington; two daughters; Mrs. Mary Crisp and Mrs. Alberta Ray of Raeford; three sons, Willie L. Rogers, Freddie Rogers and Thomas Monore Jr. of Raeford; 14 grandchildren; one great-grandchild; and one sister.

Ernest Gordon Capps
Funeral services for Ernest Gordon Capps, 76, who died May 16 at the V.A. Hospital in Fayetteville were conducted Sunday at the Rockfish Tabernacle Baptist Church by the Rev. Carl Strickland with burial in LaFayette Memorial Park in Fayetteville.

Pallbearers were Harold Monroe, Roy Brock, Edwin Newton, Seavey Hales, J.D. Moss, Vernon Hobson and W.C. Parker. Honorary pallbearers were members of the men's Bible class and World War I veterans.

Mr. Capps, a Cumberland County native, was a retired farmer, WW I veteran and member of Woodmen of the World.

Survivors include his widow, Mrs. Lilly Holland Capps; three sisters, Mrs. Lydia Peed, Mrs. Rube Long, and Mrs. Eva Shepherd, all of Tabor City.

Mrs. Annie C. Scull
Funeral services for Mrs. Annie C. Scull, 95, who died May 15, were conducted May 16 by the Revs. Russell Flemming and Gordon Ruggles at Galatia Presbyterian Church with burial in the church cemetery.

Pallbearers were Lacy Hair, Mike Scull, Daniel McDougald, David Scull, Josh Scull and Walter Scull.

Survivors include daughters, Mrs. Lacy Patterson, Mrs. Henry Warner of Fayetteville, Mrs. Sam Miller of Durham, Mrs. Margaret Flagle of Charlotte, Mrs. Paul Nickerson of Bel Air, Md., Mrs. Will Hair and Mrs. Dougald McDouglas of Raeford; sons, Oscar and John of Raeford, Marvin Scull of Durham; 20 grandchildren; 28 great grandchildren.

FURNITURE
North Carolina ranks first nationally in the production of wood and upholstered furniture and hardwood plywood.

OLEFIN FIBERS
The olefin fiber group was born in Italy in the early 1950s, but not until the 1960s did it begin to be important in the United States. The major contribution of olefins is in the house furnishings area. When used in apparel, they are blended with other fibers.

Legals

CREDITOR'S NOTICE

Having qualified as Administrator of the estate of Ottis W. Gillis, deceased, late of Hoke County, this is to notify all persons having claims against said estate to present them to the undersigned on or before November 23, 1974 or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment to the undersigned.

This the 23 day of May, 1974.
R. Palmer Willcox, Administrator
Attorney - at - Law
Raeford, N.C. 28376

NORTH CAROLINA, HOKE COUNTY, NOTICE OF SALE BY SUBSTITUTED TRUSTEE

Under and by virtue of the power of sale contained in a certain deed of trust executed by Bell & Wright, Inc. to John Luther McLean, dated 17 July 1973, and recorded in Book 174 at page 423, in the office of the Register of Deeds of Hoke County; and under and by virtue of the authority vested in the undersigned as Substituted Trustee by an instrument of writing dated 16 May 1974, and to be recorded in the office of the Register of Deeds of Hoke County, default having been made in the payment of the indebtedness thereby secured and said deed of trust being by the terms thereof subject to foreclosure, and the holder of the indebtedness thereby secured having demanded a foreclosure for the purpose of selling the lands therein described, to satisfy said indebtedness, the undersigned Substituted Trustee will offer for sale and will sell at public auction to the highest bidder, for cash, at the main door of the Hoke County Courthouse in Raeford, North Carolina, at 12:00 o'clock noon, on Tuesday, 18 June 1974, the lands conveyed in said deed of trust, the same being more particularly described as follows, to-wit:

That certain parcel of land lying and being about 1 1/2 miles North of the Community of Antioch; about 6 miles South of the Town of Raeford; approximately 350 feet North of the intersection of Secondary Road No. 1139 and N.C. Highway No. 211, and being bounded on the West by N.C. Highway No. 211, on the Southeast by the D.H. Hodgin Estate and on all remaining sides by other lands of Bell and Wright, Inc. and being more particularly described as follows, to-wit: BEGINNING at a concrete

LEGALS

monument in the right-of-way margin of N.C. Highway No. 211, at D.H. Hodgin Estate line, said monument being N 51 degree 21 minutes East 60.50 feet from a nail in the center line of said highway No. 211, the southernmost corner of the tract (of which this is a part) and running thence as the eastern right-of-way margin of said N.C. Highway No. 211, North 3 degrees 22 minutes West 210 feet to an iron pipe (50 feet from center of said highway); thence North 86 degrees 38 minutes East 200 feet to an iron pipe; thence South 3 degrees 22 minutes West 75 feet to an iron pipe in the Southeastern line of the tract of which this is a part; thence as the southeastern line of the tract of which this is a part South 52 degrees 40 minutes West 240.8 feet to the beginning, containing 65/100 acres, more or less, and being a portion of that tract of land described in a deed from Grace H. Andrews, Widow to Bell & Wright, Inc., Deed Book 169 at page 467, Hoke County Registry; also being a portion of that tract of land described in deed Book 137 at page 275, Hoke County Registry.

A deposit of ten per cent of the purchase price will be required of the successful bidder, pending confirmation of said sale.

This the 17th day of May, 1974.

Wm. E. Timberlake,
Substituted Trustee

NOTICE OF SALE BY SUBSTITUTED TRUSTEE

Under and by virtue of the power of sale contained in a certain deed of trust executed by Bobby Jean Locklear and wife, Mary Elizabeth Locklear to John Luther McLean, dated 27 August 1973, and recorded in Book 176 at page 357, in the office of the Register of Deeds of Hoke County; and under and by virtue of the authority vested in the undersigned as Substituted Trustee by an instrument of writing dated 16 May 1974, and to be recorded in the office of the Register of Deeds of Hoke County, default having been made in the payment of the indebtedness thereby secured and said deed of trust being by the terms thereof subject to foreclosure, and the holder of the indebtedness thereby secured having demanded a foreclosure thereof for the purpose of selling the lands therein described, to satisfy said indebtedness, the undersigned Substituted Trustee will offer for sale and will sell at public auction to the highest bidder, for cash, at the main door of the Hoke County Courthouse in Raeford, North Carolina, at 12:00 o'clock noon, on Tuesday, 18 June 1974, the lands conveyed in said deed of trust, the same being more particularly described as follows, to-wit:

That certain parcel of tract of land, lying and being about five (5) miles South of the Town of Raeford, about one (1) mile North of Antioch, East of the N.C. Highway No. 211, bounded on the Northeast by a 60 foot street; on the Southwest by D.H. Hodgin Estate; on the North by Harry Hazelwood; and on the South by lands of J.H. Wright, et al, and,

BEGINNING at an iron stake, the Southwest corner of the Harry Hazelwood lot, said beginning point also being S 29-10 E 47.7 feet from the Southwest corner of the Alton Locklear lot; thence N 69-08 E 350.7 feet to an iron stake in the western edge of a 60 foot street; thence with the 60 foot street, S 21-13 E 57 feet; thence continuing with the street, S 16-09 E 50 feet to an iron stake; thence N 29-10 W 40 feet to the point of beginning, containing 0.58 Acres, more or less, and being a portion of that tract of land known as the McLauchlin Farm as shown in Map Book 6 at page 35, of the Hoke County Public Registry.

A deposit of ten per cent of the purchase price will be required of the successful bidder, pending confirmation of said sale.

This the 17th day of May, 1974.

Wm. E. Timberlake, Substituted Trustee
3-6C
NORTH CAROLINA
HOKE COUNTY

NOTICE OF SALE

Under and by virtue of the power of sale contained in a certain Deed of Trust executed by James Payton Washington, Jr., and wife, Grace B. Washington, to Charles A. Hostetler, Trustee, and recorded in Book 170, Page 385 in the Office of the Register of Deeds of Hoke County, North Carolina, default having been made in payment of the indebtedness thereby secured, and said Deed of Trust being by the terms thereof subject to foreclosure, the undersigned Trustee will offer for sale at public auction to the highest bidder for cash at the courthouse door in Raeford, North Carolina at Noon on the 11th day of June, 1974, property conveyed in said Deed of Trust, the same lying and being in the County of Hoke, State of North Carolina, and described as follows:

BEGINNING at a point in the center of the Sandclay Highway leading from the Old Maxton Road through the Ryan McBryde Farm to the Wire Road, said point being witnessed by an iron stake on the West side of said Highway and said point being located 208 feet S 19-30 E from the point where the Payton Washington and J.C. McNeill

LEGALS

(formerly Sullivan Parker) line intersects the centerline of said highway and runs with said highway S 19-30 E 100 feet to a point in the center of the highway; thence S 67-30 W 200 feet to an iron in a field; thence N 19-30 W 100 feet to an iron in the field; thence N 67-30 E 200 feet to the BEGINNING, containing 46 acre and being part of that tract of land described in Book 92, Page 28 and shown in Map Book 2, Page 231 as Tract No. 4, Hoke County Public Registry.

CASH DEPOSIT: Ten percent (10%) on the first \$1,000.00 bid and five percent (5%) on any additional amount bid will be required at the sale.

Posted this the 10th day of May, 1974.

(SEAL)
CHARLES A. HOSTETLER, Trustee
2-5C

Hostetler & McNeill
Attorneys At Law
Raeford, N.C.

NOTICE

"The tentative budget for the fiscal year beginning July 1, 1974 of Hoke County was on May 17, 1974 presented to the Hoke County Board of County Commissioners, and is available for public inspection in the office of County Manager, Clerk to the board. A public hearing will be held at 7:00 P.M. on June 6, 1974 in Courthouse (Courtroom), at which time any persons who wish to be heard on the budget may appear.

T.B. Lester, Jr., Budget Officer: 3C

CREDITORS' NOTICE

The undersigned, having qualified as Executor of the Estate of Kermit L. Wood, Sr., deceased, late of Hoke County, this is to notify all persons having claims against said Estate to present them to the undersigned on or before the 9th day of November, 1974, or this Notice will be pleaded in bar of their recovery. All persons indebted to said Estate will please make immediate payment to the undersigned.

This, the 3rd day of May, 1974.
Kermit L. Wood, Jr., Executor
Moses & Diehl, Attorneys
127 W. Edinborough Avenue
Raeford, North Carolina 28376
1-4C

NOTICE OF SALE - NORTH CAROLINA, HOKE COUNTY - Under and by virtue of the power of sale contained in a certain deed of trust executed by Fred Locklear and wife, Lula O. Locklear, to James O. Buchanan, Trustee, dated the 14th day April, 1971, and recorded in Book 162, page 95, in the Office of the Register of Deeds for Hoke County, North Carolina, default having been made in the payment of the indebtedness thereby secured and the said deed of trust being by the terms thereof subject to foreclosure, and the holder of the indebtedness thereby secured having demanded a foreclosure thereof for the purpose of satisfying said indebtedness, the undersigned trustee will offer for sale at public auction to the highest bidder for cash at the Courthouse door in Raeford, North Carolina, at 12:00 noon, on the 24th day of May, 1974, the land conveyed in said deed of trust, the same lying and being in Antioch Township, Hoke County, North Carolina, and being more particularly described as follows:

BEGINNING at an iron in the edge of a proposed Street, the southwest corner of Lot No. 2 of Cumming's property heretofore purchased by Lewis Mumford Cummings from Plummer Locklear, said iron being S 45 W 228.90 feet from the northwest corner of the junction of the proposed street with State Road No. 1448 and running from said beginning point with the edge of the proposed street S 45 W 100 feet to an iron pipe; thence N 45 W 200 feet to an iron pipe in the northern line of the original 16 acre tract; thence with it N 45 E 100 feet to an iron pipe; thence S 45 E 200' to pt. of BEGINNING.

This description is taken from a plat captioned SURVEY FOR CUMMINGS CONSTRUCTION CO., ANTIOCH TWP., HOKE COUNTY, NORTH CAROLINA, surveyed May 1970 by J.P. McMillan, Jr., R.S. In addition to the above lot, the grantees are given a perpetual right-of-way and easement over and upon a 60 foot strip of land reserved for street and running from the western line of said lot above described to State Road No. 1448; right-of-way being described in metes and bounds as follows:

BEGINNING at an iron stake, the southeastern corner of Lot No. 2 of Cumming's property, said Lot being surveyed by J.P. McMillan, Jr., April 20, 1970; said iron stake being in the western edge of State Road No. 1448 at a point where proposed street junctions with said State Road and runs thence S 45 W 338.10 feet to an iron pipe; thence S 45 E 60 feet to a point; thence N 45 E approximately 330 feet to the edge of State Road No. 1448; thence with the edge of it N 55-11 W approximately 62 feet to the point of BEGINNING.

SUBJECT, however, to taxes for the year 1974. Five percent (5%) of the amount of the highest bid must be deposited with the Trustee pending confirmation of the sale. Dated this 23rd day of April, 1974.

JAMES O. BUCHANAN, Trustee
52 - 3C

1962
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1974

12 Years Community Service
HOKE COUNTY RESCUE SQUAD