

In District Court

Active Term Given In Shoplifting Case

Shoplifting charges brought an active sentence in last week's session of District Court.

A sentence of 60 days was imposed by Judge Joseph Dupree when John M. Breeden, Rt. 2, Raeford, appeared on a charge of shoplifting. After sentencing, the Judge ordered that the defendant be released into the custody of his mother or some other adult of her choosing each and every school morning at 7:45 a.m. and is to be returned to the jail not later than 12:45 p.m. This judgement allows the defendant, age 18, to continue his schooling while serving the sentence.

Laura Ann Jacobs, Rt. 1 Box 204B, Shannon, pleaded guilty to a charge of shoplifting. Prayer for judgement was continued for two years and the defendant was placed on probation for two years. She was ordered not to go on the premises of the prosecuting witness (Mack's Store in Raeford) for two years and to pay cost of action.

Allen Chandler, Gen. Del., McCain, pleaded guilty to assault with a deadly weapon and was sentenced to 60 days. Sentence was suspended for two years provided that the defendant report to Sheriff Barrington at the Hoke County Jail for the next two weekends at 6 p.m. on Friday to be incarcerated until 6 p.m. on Sunday. For good cause shown, cost was remitted.

Bobby Lee Edwards, McCain Correctional Center, pleaded not guilty to escape. He was found guilty and sentenced to 90 days to begin at the expiration of the sentence he is currently serving. The defendant gave notice of appeal.

Sgt. Jerry Miller, Fort Bragg, pleaded not guilty to breaking and entering. He was found not guilty. He pleaded guilty to a charge of trespass. Prayer for judgement was continued for five years with the court reserving the right to pass final judgement within five years. He was ordered to pay cost of court.

Bobby Joe Price, Fayetteville, pleaded guilty to trespass. Prayer for judgement was continued upon payment of cost.

Leverne Morrissey, Rt. 3 Box 5, Pinegrove Trailer Park, Raeford, pleaded guilty to non-support of an illegitimate child. He was sentenced to 30 days suspended for five years provided he pay \$25 Jan. 28 and every two weeks thereafter for the benefit of the child. The monies are to be forwarded to the N.C. Department of Human Resources and accredited to the Hoke County Department of Social Services. For good cause shown, cost was remitted.

Alton Jerome Billinger, P.O. Box 812, Raeford, pleaded not guilty to

non-support of an illegitimate child. He was found guilty and sentenced to 90 days suspended for five years upon payment every week of \$17.50 for the benefit of the child. He was also ordered to pay cost. The court found as a fact that the defendant was the father of the child. He gave notice of appeal.

Aletha Locklear, Red Springs, appeared for failing to appear in Juvenile Court to answer a show cause order for contempt of court for failure to obey a juvenile summons which was served on her Nov. 14. The defendant admitted to open court that she was in contempt of the court order but explained to some degree her reason for being so. She was found in contempt and sentenced to 30 days suspended upon payment of cost.

James Handon, Rt. 1 Box 589, Raeford, pleaded not guilty to resisting an officer. He was found not guilty.

Leverne Campbell, Rt. 2 Box 75, Raeford, pleaded guilty to driving under the influence (D.U.I.). He was sentenced to 90 days suspended for 12 months provided he pay a \$150 fine and costs. He was ordered not to operate a motor vehicle for 12 months except as set out in his limited driving privilege order. Breathalyzer reading was .21 percent.

Commie Walls, Gen. Delivery, Raeford, pleaded guilty to public intoxication. He was sentenced to four days retroactive to the date of arrest.

James Fedrick Handon, Rt. 1 Box 589, Raeford, pleaded not guilty to D.U.I. second offense. He was found guilty and sentenced to six months, suspended for three years upon payment of a \$250 fine and cost. He was ordered not to operate a motor vehicle until licensed to do so. Breathalyzer reading was .16 percent. The defendant gave notice of appeal.

William Henry Roberson, P.O. Box 758, Raeford, pleaded not guilty to no registration and having no financial responsibility. He was found not guilty.

Byron Franklin Clontz, Boone, pleaded guilty to speeding 45 in a 35 m.p.h. zone. Prayer for judgement was continued upon payment of cost.

Ricky Dennis Huff, Aberdeen, pleaded guilty to speeding 45 in a 35 m.p.h. zone. Prayer for judgement was continued upon payment of cost.

Naortlega Singletary, P.O. Box 573, Raeford, pleaded guilty to speeding 45 in a 35 m.p.h. zone. Prayer for judgement was continued upon payment of cost.

Richard Houston Jones, 840 East Donaldson Ave., Raeford, pleaded guilty to failing to yield right of way

at a stop sign. Prayer for judgement was continued upon payment of cost.

Rebecca Wood Cox, Rt. 4 Box 123, Raeford, pleaded guilty to exceeding a safe speed. Prayer for judgement was continued upon payment of cost.

Angus Wilton Currie, 115 Adams St., Raeford, pleaded guilty to exceeding a safe speed. Prayer for judgement was continued upon payment of cost.

William Henry Roberson, P.O. Box 758, Raeford, pleaded not guilty to no operator's license. He was found guilty and prayer for judgement was continued for three years with the court reserving the right to pass final judgement within three years. He was ordered to pay costs.

Erwin Jerome Daniels, P.O. Box 703, Raeford, pleaded guilty to unsafe movement. Prayer for judgement was continued upon payment of costs.

The following cases were heard in Thursday's session:

Janice V. McMillan, Rt. 1 Box 232, Raeford, pleaded guilty to a worthless check charge. The defendant presented a check made out to cash and drawn on the Bank of Raeford to the Bank of Raeford on or about July 29, 1977. She was found guilty and ordered to pay restitution of \$70 to the Bank of Raeford and cost.

Jack W. McMillan, Rt. 3 Box 74, Raeford, pleaded guilty to two counts of worthless check and a charge of D.U.I. third offense. He was sentenced to two years to run concurrently to the sentence he is now serving.

Yancey Samuel Smith, Jr., Sandhill Youth Center, McCain, pleaded guilty to escape. He was sentenced to 90 days in the Hoke County Jail to begin at the expiration of the sentence the defendant is currently serving.

Archie Isaac McMillan, Red Springs, pleaded guilty to D.U.I. second offense. He was sentenced to six months suspended for three and a half years upon payment of a \$250 fine and cost. He was ordered not to drive a motor vehicle until properly licensed to do so and to follow the guidance of the probation officer in regards to alcoholic rehabilitation.

Blondie M. Blue, Rt. 2 Box 19, Raeford, pleaded guilty to D.U.I. She was sentenced to 90 days suspended for 12 months provided she pay a fine of \$150 and cost and not operate a motor vehicle except as set out in the order granting limited driving privileges.

Johnny Craycraft, Rt. 1 Box 275, Raeford, pleaded guilty to D.U.I. second offense and careless and reckless driving. He was sentenced to six months suspended for three years upon payment of a \$250 fine and costs and ordered not to be convicted of D.U.I. during the term of probation.

Craig Santos, Pinehurst, pleaded guilty to speeding 65 in a 55 m.p.h. zone. Prayer for judgement was continued upon payment of cost.

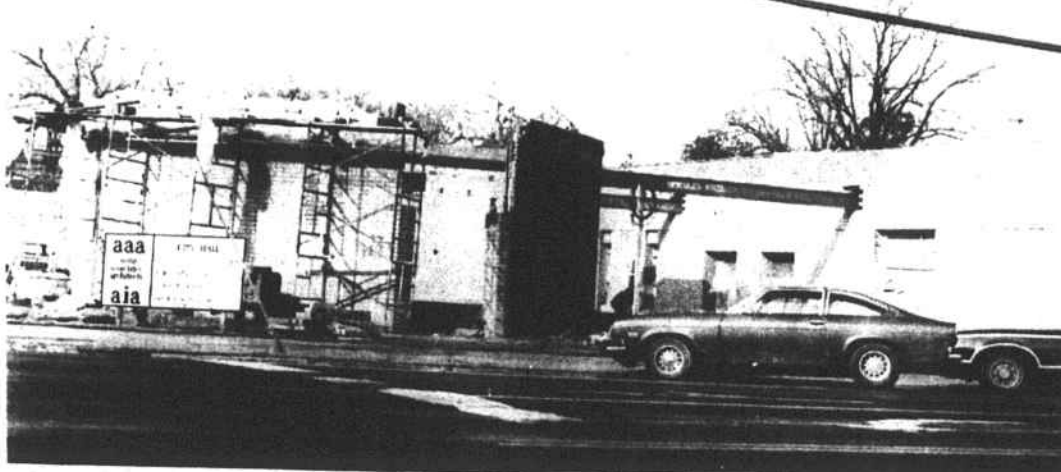
George Van Webb, Fayetteville, pleaded guilty to speeding 64 in a 55 m.p.h. zone. Prayer for judgement was continued upon payment of cost.

Walter Mitchell Long, Fayetteville, pleaded not guilty to speeding 65 in a 55 m.p.h. zone. He was found not guilty.

Jerry Cox, Lumberton, pleaded guilty to failure to stop at a stop sign and possession of a small quantity of marijuana. He was sentenced to thirty days and sentence was suspended. He was ordered to pay a \$50 fine and costs.

The following cases received dismissals: Albert "Bubby" Sturdivant, 522 Grant Ave., Raeford, assault on a female; Donald Locklear, Rt. 1, Raeford, receiving stolen goods; James Willie McNeill, Red Springs, trespass; LeRoy Morrison, Rt. 1 Lumber Bridge, malicious injury to personal property; Pete Harris, Rt. 4, Raeford, assault inflicting serious injury; Alex Campbell, 213 Lamont St., Raeford, assault with intent to commit rape; Freddie Slocumb, Rt. 1 Box 621, Raeford; Cass Toder Harris, driving left of center.

William Dwight Butler, Fayetteville, pleaded guilty to trespass. Prayer for judgement was continued upon payment of cost.



CONSTRUCTION -- Additions to City Hall move right along despite cold weather and holidays. The new construction, designed to have the appearance of one building instead of several, will provide new chambers for the City Council and includes extensive renovation to the police station and water and sewer departments.

N.C. Minimum Wage Hike Goes Into Effect As Of January 1

January 1 was a red-letter day for many employees of small retail and service businesses in North Carolina.

That's the day on which the Tar Heel State's required minimum wage will move up from \$2.30 an hour to \$2.50 an hour, according to the State Department of Labor.

On the basis of a 40-hour workweek, the increase will bring

an extra \$8 a week for thousands of North Carolina's lowest paid workers who make no more than the minimum wage at their jobs.

It will be their second "raise" in six months. By action of the 1977 General Assembly, the required State minimum wage was raised from \$2 an hour to \$2.30 an hour on July 1, 1977. That increase, plus the additional 20-cent rise slated

for January 1, add up to a 25 percent increase over the old \$2 minimum.

"The \$2.50 statutory minimum wage will apply to all non-exempt employees in establishments having four or more employees who are not covered by the Fair Labor Standards Act (Federal Wage-Hour Law)," explained N.C. Commissioner of Labor John C. Brooks. "Many North Carolina employees are covered by the federal minimum, which will advance from the present \$2.30 an hour to \$2.65 an hour on January 1, 1978, in those businesses having a gross annual income of \$250,000 or more. However, there are thousands of other North Carolina workers in small establishments for whom the federal law does not apply. These workers are often employed in small retail, wholesale, food service and service industry establishments. These people are indebted to the foresight of our General Assembly which built in the additional increase in the State minimum wage in anticipation of the increased federal minimum.

"Without making a comprehensive Statewide survey, for which there is neither budget nor personnel, we have no reliable way of estimating either how many workers are covered by the State minimum wage at present, or how many of those who are covered are currently being paid less than \$2.50 an hour," Commissioner Brooks stated. "I believe that the new minimum wage will have a substantial impact upon the earnings of many North Carolina workers who are covered by the State law."

LAW FOR LIVING

By Professor Howard Oleck, Wake Forest Univ. School of Law



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Nursing Home Patient-Protection Law

Nursing home patients now have a statutory "Bill of Rights" for their protection, in North Carolina. A new, and detailed, set of rules was adopted by the legislature in 1977, after a series of revelations of shocking mistreatment of patients in some nursing homes and homes for the aged and infirm. Sections 130-264 to 130-276, and some of the licensing provisions of 130-9, are new, and very important in an era when the "old age" population of the country has become very large.

The new statute declares the purpose of the legislature to protect the civil and religious liberties, and the right to independent personal decisions and knowledge of available choices, for every patient in such licensed homes.

Among the rights specifically stated in the new statute are the following: decent treatment, dignity, and care; written statements of services and charges; adequate records and medical treatment based on prior "informed consent" by the patient; decent privacy and confidentiality of treatment and records; freedom from abuse; reasonable response to requests; free communication with whomever the patient chooses to communicate; free management of personal finances or inspection of records of agreed-upon delegation of such management; privacy and access for spouses; right to present grievances and suggestions; proper notice of changes or transfers or discharge and documentation of reasons for them.

Incompetent patients' interests must be protected by guardian or attorney in fact; and patients may not be required to waive the above-listed rights.

The statutory list of rights must be posted conspicuously in a public place in the nursing home, and copies must be given to all patients admitted or to their representatives or next of kin. The address and telephone number of the statute-enforcement agency (Department of Human Resources section) must be posted and distributed, so that aggrieved patients or others may call for aid. And home staff

personnel must be properly trained as to those rights.

Also, every patient (or representative) may bring civil lawsuits for enforcement of the statute. Prompt and confidential enforcement is required in the statute, including revocation of the license of offending institutions.

Administrative agency penalties also are required, including a fine of \$10 per patient per day for offending homes. But hearings are available to accused institutions. And a "Community Advisory Committee" of outside, local persons is to inspect and advise the homes in each county.

This statute should go far to cure (and prevent) abuse of patients in nursing homes.

Income Tax Forms To Arrive Soon

Approximately two million North Carolina taxpayers will receive their Federal income tax forms packages by mail during the next two weeks, the Internal Revenue Service says.

The type of form a person receives is usually determined by what form was filed during the last year. However, the IRS expects many more North Carolinians to be able to use the short form this year, causing a reduction in paperwork for the taxpayer.

Robert A. LeBaube, IRS District Director for North Carolina, remarked, "We expect that about one-half of our taxpayers will be able to use the short form, and in most cases, they can prepare their own returns."

LeBaube said that many of the

calculations formerly required are now included in the tax tables, leaving the taxpayer only addition and subtraction to be concerned with.

The IRS suggests that you begin now to gather tax records so that when you receive the W-2 earnings statement from your employer, you can prepare the return right away. If a taxpayer files the Federal return in January or early February, a refund due can usually be expected in about four to five weeks.

Two things can help speed up a refund: the use of the pre-addressed label and the coded envelope, both included in the individual tax package.

Magistrate's Court

The following cases were heard by the magistrates: Willie Lee Morton, Riverton Road, Wagram, set untagged traps, \$10 and cost; Binson Elbert Lee, 116 St. Paul Dr., Raeford, trapping without proper license, \$10 and cost; Marilyn Locklear, Rt. 1, Raeford, public intoxication, cost of court plus \$5 jail fee; Lester Barnes Clark Jr., Hamlet, following too close, cost; Mark Beasley, Rt. 1 Box 92, Lumber Bridge, failing to stop for traffic light, cost; Claude Thomas Willis, Fairmont, failing to stop for traffic light, cost plus \$2 for order for arrest.

Rebecca Maynor Thomas, 111D Patterson St., Raeford, unsafe movement, cost; Foster Waylon Worriax, Rt. 1, Raeford, speeding 64 in a 55 m.p.h. zone, \$5 and cost; Johnny Lee Scott, speeding 70 in a 55 m.p.h. zone, \$10 and cost; Lois Barkley Lee, Rt. 4 Box 103, Raeford, speeding 45 in a 35 m.p.h. zone, \$5 and cost; William Douglas Davis, Shallotte, speeding 69 in a 55 m.p.h. zone, \$10 and cost; Reginald Eugene Ayer, Hamlet, speeding 69 in a 55 m.p.h. zone, \$37 and cost.

Shirley Johnson Wright, Rt. 1 Box 49A, Raeford, speeding 49 in a 35 m.p.h. zone, \$10 and cost; Helen Eleana Samson, Burningham, Mich., speeding 45 in a 35 m.p.h. zone, \$5 and cost; Curtis Locklear, Rt. 1 Box 70, Red Springs, speeding 47 in a 35 m.p.h. zone, \$10 and cost; Elston Crouch, Rt. 2 Box 283, Raeford, speeding 45 in a 35 m.p.h. zone, \$5 and cost; Carol Vaughn Fackrell, Rt. 3 Box 1056, Sanford, speeding 45 in a 35 m.p.h. zone, \$5 and cost; Rose Pinfield Taylor, Hope Mills, speeding 45 in a 35 m.p.h. zone, \$5 and cost.

Monte Masatoshi Nakano, Augusta, Ga., speeding 70 in a 55 m.p.h. zone, \$10 and cost; Lenzie McLean, Laurinburg, speeding 69 in a 55 m.p.h. zone, \$10 and cost; Linda Kay Miller, 106 Lamont St., Raeford, speeding 67 in a 55 m.p.h. zone, \$10 and cost; Keith Burney, Spartanburg, S.C., speeding 66 in a 55 m.p.h. zone, \$10 and cost; Leon Hester Bethea, Hope Mills, speeding 64 in a 55 m.p.h. zone, \$5 and cost; Lt. Com. Vander Clark Jr., Annapolis, Md., speeding 67 in a 55 m.p.h. zone, \$10 and cost.

Earnest McRae, Wagram, speeding 63 in a 55 m.p.h. zone, \$5 and cost; Michael Dwight Morris, Louisville, Ky., speeding 64 in a 55 m.p.h. zone, \$5 and cost; Willie Gene Rush, P.O. Box 801, Raeford, speeding 50 in a 35 m.p.h. zone, \$10 and cost; Barbara Joan Thompson, Whiteville, speeding 47 in a 35 m.p.h. zone, \$10 and cost; Keith Brewington, Bronx, N.Y., speeding 69 in a 55 m.p.h. zone, \$10 and cost.

Aubrey Durwood Floyd, Fayetteville, exceeding a safe speed, cost; Lonnie Junior Smith, Rt. 2 Box 418, Raeford, too fast for conditions, cost; Harry McCrea Capps, Fayetteville, driving too fast for conditions, cost; John Charles McGougan, Rt. 1 Box 81, Lumber Bridge, driving too fast for conditions, cost; Eddie Hollingsworth, 520 5th Ave., Raeford, driving too fast for existing conditions, cost; Charles Brooks Liles, Lamont St., Raeford, exceeding a safe speed, cost; Charles Brooks Liles, driving too fast for conditions, cost.

Lu Margie Carpenter, Rt. 1, Box 414, Raeford, worthless check, restitution of \$34.47 for DeVane's Department Store, \$2 subpoena fee and cost.

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