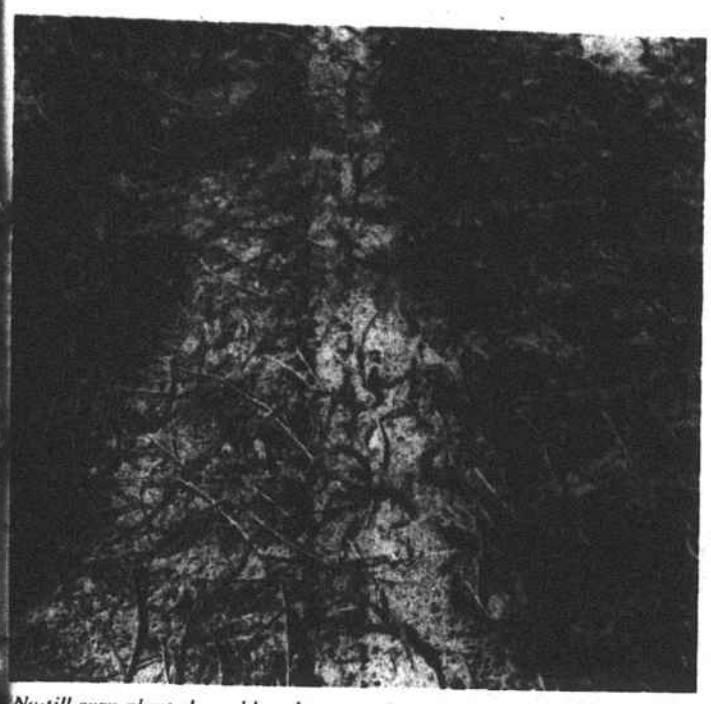

No-till corn planted on old soybean row in residue. High production levels were attained in Hoke County in previous years.

Hoke Soil & Water Conservation District

"Soil erosion by wind and water is a natural geologic process that has shaped our mountains, valleys, and other features of our landscape," according to Sam Warren, district conservationist for the Soil Conservation Service in Hoke County.

"But modern man's activities have greatly speeded up this process to the point where it has become a serious environmental problem and a threat to our productive agricultural capacity," he said.

"The rate at which soils erode depends upon soil type, steepness of slope, amount of runoff, and other things. But ironically, the solution to much cropland erosion may be relatively simple," Warren said. "By leaving residues on the surfaces, evaporation, runoff, and erosion are reduced. We call this 'conservation tillage.'"

Conservation tillage is a crop planting system where residues from previous crops or field conditions are left on the land and current crops are planted in this seedbed. In its purest form, "no-till" farmers plant crops without plowing or cultivating their land.

"Even though special equipment and modified planting techniques are used, the practice has been around for several years and does an excellent job of conservation with high production, when good management principles are followed," Warren said.

Coy a. Garrett, Soil Conservation Service state conservationist in Raleigh, is adament in his remarks. "Conservation tillage is not the total solution to erosion problems, but leaving adequate amounts of crop residue on the surface yearround can reduce sheet and rill erosion by as much as 90 percent," Garrett says.

Researchers agree that using one of the various forms of conservation tillage can reduce erosion from 30 to 90 percent, compared with conventional tillage.

Soil Conservation Service studies show that each year in North Carolina, soil erosion on cropland removes more than 47,000 tons of soil. About 5 tons per acre per year is considered to be a tolerable soil loss, but the average annual soil loss for all cropland is 7.64 tons per acre. These losses may take centuries to replace. For the nation as a whole, SCS has estimated that wind and water have damaged 50 million acres of America's best cropland so badly that it is no longer useful for crop production. Another 100 million acres has been severely damaged.

Some conservationists feel a psychological stigma is attached to the acceptance of conservation tillage.

"Plowing and cultivating has been accepted for so long it is hard for some farmers to overcome the urge to plow each year," Warren said. "But no-till and other forms of conservation tillage are gaining ground yearly. Many predict acreage planted under the no-till systems will exceed conventionally planted crops in the near future."

30 YEARS -- Archie King, loom of the Burlington Industries Raeford Plant, recently completed Raeford Plant, recently completed 30 years of continuous service. King has spent the entire period serving in various positions in the Weave Department.

LAW For Laypersons

Have you ever heard about creditors trying to make a debtor pay a debt by lettering the whole world know about the debt? Some creditors have tried to force a debtor to pay his debt by embarrassing him in front of his friends and neighbors. North Carolina's General Statutes § 75-53, however, provides that no debt collector shall unreasonably publicize information regarding a consumer's debt.

North Carolina's law provides more than just a general prohibition against unreasonable publication of a consumer's debt. Section 75-53 goes into some detail about what publication is unreasonable. For example, it states that any communication between the creditor and any person other than the debtor or his attorney is an unreasonable publication of the consumer's debt. In other words, the creditor cannot try to embarrass the debtor by telling other people about his debt.

There are, of course, exceptions to the prohibition against communication with a person other than the debtor or his attorney. Certainly, the debtor or his attorney can give written permission for the creditor to communicate with other people, and the creditor should be free to talk to persons employed by the creditor to collect the debt for him. In addition, the creditor should be free to talk to the spouse of the debtor or to the parent of the debtor if the debtor is a minor and lives in the same household with the parent. Also, the debtor can talk to other people for the sole purpose of locating the debtor, but he can make no mention of the debt that is due. Lastly, the creditor can and should talk with other people such as his attorney of court officials if he is going to use the legal process to collect the debt.

Suppose a creditor lives up to the letter of the law by communicating only with the debtor, but he does it in such a way that other people hear the same message and thus learn about the indebtedness owed by the debtor? Section 75-53 provides that any form of communication which ordinarily would be seen or heard by any person other than the consumer that displays or conveys any information about the debt other than the name, address and phone number of the debt collector shall be an unreasonable publication of information about the consumer's debts.

What about a creditor who puts up a large poster setting out the names of people who owe him debts so that all people who pass by can see the information? Section 75-53 also says that it is unreasonable publication to disclose information about consumer's debt by publishing or posting any list of consumers. An exception for publishing or posting this list, however, is allowed for credit reporting purposes and for the publication and distribution of "stop lists" at places, such as cash register, where credit is extended and the person giving credit should have a list to warn him.

As the General Statutes have done in previous sections on unfair acts in debt collection practices, it again indicates in § 75-53 that other factual situations in which a consumer's debt is published may be an unreasonable publication and thus prohibited under North Carolina Law.

DEBT COLLECTION PRACTICES Part III

When North Carolina's General Assembly amended G.S. 75-1.1 in 1977, it made certain that the terms of the legislation prohibited unfair or deceptive acts or practices in debt collections. At the same time, the General Assembly also set out specifically what acts by debt collectors should be prohibited under the new law which it enacted.

For example, G.S. 75-51 provides that no debt collector shall collect or attempt to collect any debt from a consumer by means of any unfair threat, coercion or attempt to coerce. Since it is obviously hard to tell what specific acts by threats or coercion the language of G.S. 75-51 prohibits, the General Assembly then listed eight specific acts which it labeled as "unfair" acts.

One such act which is labeled by the General Assembly to be "unfair" is the use of or threat to use violence or any illegal means to hurt the debtor, his reputation, or his property unless he will pay the debt. A more subtle act, but one just as unfair according to the General Assembly, is for the debt collector to represent to the debtor that nonpayment of the alleged debt may result in his arrest. If the debt collector threatens to refer the debt to another person or agency for collection and at the same time tells the debtor that he will as a result lose some defense he may have to the debt or that he will be subject to harsh, vindictive or abusive collection attempts by that other person or agency, the debt collector will have done an act labeled "unfair" by the new legislation.

A debt collector may falsely accuse or threaten to accuse a debtor of fraud or of some crime or conduct that would cause him disgrace, contempt or ridicule; this act would be labeled by North Carolina's law as an unfair act using threat or coercion. Certainly, threatening to take against the debtor any action which is not permitted by law would also be an unfair act, and the new legislation also describes this unfair act specifically.

The General Assembly took the time to state that the unfair acts which it has described under the label of "threats and coercion" do not necessarily include all possible unfair acts using threat or coercion. Therefore, another factual situation not covered by the eight specific examples could well be an unfair act under North Carolina's legislation and thus prohibited by law.

DEBT COLLECTION PRACTICES, Part IV

North Carolina's law which prohibits unfair or deceptive acts and practices in debt collections states specifically in G.S. 75-52 that no debt collector shall use any conduct, the natural consequence of which is to oppress, harass, or abuse any person in connection with the attempt to collect any debt. This statute then lists as illustration four specific acts which it labels as unfair and thus prohibited by North Carolina law.

The most obvious act which is prohibited under this section is the use of profane or obscene language or language that would ordinarily abuse a typical hearer or reader. Such conduct by a debt collector would naturally oppress, harass or abuse the debtor.

If a debt collector places collect telephone calls or sends collect telegrams to the debtor, section 75-52 indicates that he is doing an unfair act--unless he fully identifies himself and the company he represents, the debtor will know whether to accept the collect telephone call or the collect telegram and thus save himself from any cost.

Suppose a debt collector constantly engages you in telephone conversations or constantly causes your telephone to ring? This section provides that if these acts are done so frequently as to be unreasonable or to constitute harassment to you under the circumstances or at times known to be times other than your normal waking hours, then they should be labeled as "unfair" acts. In addition, if the debt collector places telephone calls or attempts to communicate with you at your place of employment when you have instructed him otherwise, he has again used "unfair" conduct under North Carolina's law.

G.S. 75-52 indicates that there may be conduct other than the four acts described which should be labeled "unfair" under the law. You, therefore, may be able to identify other conduct by debt collectors which oppresses, harasses or abuses a person with an attempt to collect a debt, and such conduct may indeed be prohibited under this section.

A victim of domestic violence is concerned that the physical abuse suffered previously should never happen again or that threatened physical abuse should never occur at all. The protective order, which a District Court may grant upon a showing of domestic violence, provides some measure of protection to the victim by ordering a party to refrain from a harassing or interfering with the other. When this harassment or interferance occurs again, a law enforcement officer, who has been shown the protective order and has reasonable cause to believe that the other has been violated, must arrest and take into custody the offending person and then bring him or her before an appropriate District Court Judge to show cause why he or she should not be held in civil contempt.

Victims of domestic violence are, unfortunately, often concerned about many problems besides the physical abuse springing from the unhappy home situation. For example, the violent person may have thrown the victim out of the residence and refused to let him or her back in. On the other hand, both victim and offender may be still living in the same house, but it may be clear that peace will come only if the offender is excluded from the house and forced to live elsewhere. North Carolina's Domestic Violence Act gives the District Court Judge authroity to grant a spouse possession of the residence of the parties and exclude the other spouse from the residence or even require a party to provide a spouse and his or her children suitable alternative housing. In addition, the judge may also order the eviction of a party from the residence and assistance to the victim in returning to that residence.

The domestic violence victim might naturally request temporary custody of minor children and support payments for himself or herself and for the children. The judge has the authority under North Carolina law to award temporary custody of minor children and to establish temporary visitation rights; in addition, he may also order a party to make payments for the support of minor children and for the support of the spouse.

A final squabble resulting from an unhappy home situation might concern the ownership of personal property in the home, particularly if there is a breakup of the marriage. In order to handle such a situation, the Domestic Violence Act provides that the judge may provide for the possession of personal property of the parties in the protective order.

So many thorny problems arise from an unhappy home situation in which domestic violence has occurred. The protective order provided by North Carolina's Domestic Violence Act provides a way for a District Court Judge to resolve many of the problems and hopefully bring about a reduction in the probability of future violent acts.

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