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THURSDAY, JULY 22, 1982

## It's 'Harold' here

If you see the name "Herman Gillis" in this paper in regard to a Democratic function, just change the name mentally to "Harold Gillis."

It almost happened again this week. Herman Gillis showed up in a news story as chairman of the Hoke County Democratic Party. It was corrected in time to read "Harold Gillis," thanks to a sharp-eyed member of the composing room staff who is familiar with local names.

There is a Herman Gillis. In fact, Herman Gillis used to live here. Now he is manager of Belk's in Wadesboro and has been serving as a member of the Anson County Board of Education.

The confusion of names arises from the fact that the local general news reporter worked in Wadesboro before moving to the Raeford paper.

Just goes to show: to much knowledge can be hazardous to the readers.

--BL

## Time to readjust

The federal government with the Reagan administration's dedicated pursuit of reducing government spending must face an ancient fact of life: you can't have your cake and eat it, too.

We are referring to the reduction in financial assistance to local governments -- city and county -- but at the same time the federal and, consequently, state governments demand that the local governments build expensive antipollution and other systems, at the locals' own expense.

The fact is, however, that many counties and towns, such as Raeford and Hoke County, do not have the resources to afford wonderful things and provide the regular services at the same time for their people, without federal and/or state help.

The matter is clear: either the federal government puts up the financial help for carrying out the programs it demands, or it tells the locals they don't have to if they can't afford to pay the whole bill. The same goes for the states, which administer the federal assistance, and, naturally, cut back when the federal government cuts back.

The federal and state bureaucrats will have to recognize that they can't get blood out of a turnip, a fact which was known even to the Neanderthals, in their unenlightened societies. Or, to put it another way, the turnip still can't give blood no matter how much the bureaucrats demand it.

--BL

## LAW For Laypersons

Although many laypersons think of lawyers and judges as bound by the past because they rely on old cases to decide new law, judges and lawyers are actually not as bound as they might seem. The theory of precedent, by which judges and lawyers look to previous cases to decide new controversies, is balanced by many factors which allow the law to grow and change without taking away the stability of law which we need as much as the growth and change.

For example, let's say that you are a lawyer. Your client has run a stop light at an intersection and crashed into a car which was going through the same intersection with a green light. Naturally, your client is sued for the personal injury of the other driver which resulted from the crash. The lawyer on the other side cites a case in his client's favor in which an automobile driver went through a red light at an intersection and crashed into a car going through the same intersection with a green light. The judge in that previous case held that the driver who went through the red light was liable in damages for his negligence to the other driver who was proceeding with due care.

If the theory of precedent held true in this example, then the judge in this present controversy should hold that your client was negligent on the theory that his case should be decided like the previous case.

Your client would then be liable for his negligence to the other driver.

Suppose, however that you are able to show that your client had not intentionally gone through the red light but that he had been stung by a bee just as he reached the intersection. You maintain that he went inadvertently through the intersection and the red light because of the pain and terror which came over him as the bee attacked him. In other words, you are arguing that the previous case is not a good precedent for the present case because there are additional facts, and the rule in the previous case, should not apply with the same result to your client's case. If the judge indeed feels that the facts in your client's case are different enough from the previous case, then he can feel free to decide the case differently without being bound by the precedent set by the older case.

The rule of precedent is that like cases should be decided alike. To the extent that cases differ in facts, and very few cases are identical on the facts, the theory of precedent will not bind a court.

*"This article is written as a matter of general interest only. It is not to be construed as legal advice, and you should not rely on the statements made in the article to govern your actions in any specific case. If you have a particular question or problem, you should contact an attorney."*

**Give a hoot! Don't pollute!**

'We'd like a window seat and the roast chicken'



## It's a Small World

by Bill Lindau

One of the prettiest streets I've seen outside of Raeford consists of a few blocks of South Main in Laurinburg.

What makes the beauty is the combination of old homes, from one-family frame, to pillared white mansion, and the huge, ancient willow oak and post oak trees lining the curbsides and stretching their limbs in arcs to meet from either side of the street. The trees make a green canopy of their leaves that give the street stretches of deep cool shade with bright patches where the limbs don't meet. What helps make the beauty, too, are the green lawns that stretch toward the sidewalks in front of the homes.

There are other beautiful streets there, I'm sure, but I just haven't been on them yet.

That stretch of shaded beauty runs a couple of blocks south of the central business district to the beginning of the next commercial district of shops and restaurants.

That short drive, though, brings a few moments of serenity to the soul, pushing deep into the white shroud of time whatever worries might be nagging you at the moment.

Someone asked a newspaperman about the financial rewards of working on small papers, and he replied this way.

A burglar broke into the home of a country newspaper editor one night, and after a terrific struggle, the editor succeeded in robbing him.

Up in Mitchell County, a deputy told us this story which illustrates a point: just because a guy is crazy doesn't mean he's stupid.

A man named Burleson had to be committed to Broughton State Hospital in Morganton, about 65 miles from Bakersville, the county

seat of Mitchell. Burlington had been to college, and he'd been taken learnin' too fast, as the deputy explained the cause of his condition.

So the big day came, and they put Burleson in a sheriff's cruiser and assigned a deputy to drive him to Morganton.

The only trouble was the deputy couldn't read or write.

Hours after they left, the sheriff started wondering what had become of them. The trip to Morganton shouldn't have taken more than two hours, and the deputy was to call when the business was finished.

Just as the sheriff was about to send out an all-points bulletin to watch for Burleson and the deputy, a long-distance call came to him. It was from the hospital, and the caller identified himself as the staff admissions officer. Also he sounded very exasperated.

"What's the problem?" the sheriff asked.

"Which of these guys is the patient?" the hospital man asked. The sheriff identified Burleson, and then the hospital man explained what happened.

When they got to the hospital, a form had to be filled out bearing the names of the deputy and the patient. Since the deputy couldn't read or write, Burleson volunteered to sign for both of them.

And he did. In the blank reserved for the name of the deputy Burleson wrote his own name; and in the blank reserved for the name of the patient, he wrote the deputy's name. Then, he started walking out of the hospital. He was foiled only because the deputy started hollering when two men in white coats started to lead him away.

The Burleson in this story, which was told to me a long time ago, is not the Bozo Burleson, the ex-professional wrestler from Mitchell County who ran for governor back in the 1950s.

## "Things That Matter"

by Lucien Coleman

EXCUSES, EXCUSES, EXCUSES

Too bad students can't get credit for the excuses they invent. Really good excuses call for creative thought of the highest order.

Recently a distraught student reported that he had been carrying his course project report around on the back seat of his car for about a week. And, would you believe, the night before the report was due, his car was stolen!

Then there was that fellow who couldn't do a report on a TV documentary because he didn't own a television. (Wonder what he did when the Super Bowl was on?)

A little more subtle, but equally ingenious, was the excuse offered by another student. "I like to do quality work, and I decided not to turn in my term paper because I wasn't satisfied with it."

As good as these excuses are, they don't hold a candle to some of the explanations parents can come up with when their kids miss school. Here are some collected by a friend of mine who works in public school education:

\*Please excuse Joey Friday. He has loose vowels.

\*My son is under the doctor's

care and should not take P.E. Please excuse him.

Dear School: Please excuse John for been absent January 28, 29, 30, 32, and 33.

\*I kape Billie home because she had to to Christmas shopping because I didn't know what size she wear.

\*Please excuse Blanch from P.E. for a few days. Yesterday she fell out of a tree and misplaced her hip.

\*Chris have an acre in his side.

\*Lillie was absent from school yesterday as she had a gang over.

\*John has been absent because he had two teeth taken out of his face.

\*Carlos was absent yesterday because he was playing football; he was hurt in the growing part.

\*Please excuse Johnny for being. It was his father's fault.

Then, there was that 'friend of mine, a minister, who was trying hard to get out of a committee assignment. July 18, almost a month away, was proposed as an initial meeting date. "July 18?", he said, looking through his pocket calendar, "I think I have a funeral scheduled for that date."

CLIFF BLUE ...

## People & Issues



REAGAN AND COOLIDGE ... President Reagan, recently saying the railroad is vital to national defense and the coal and farm industries, used his executive powers to delay the walk-out for at least 60 days.

Reagan's action reminds me of the action the late Calvin Coolidge took in 1919 while he was governor of Massachusetts. In defiance of the police department rules, a group of Boston policemen had obtained a union charter from the American Federation of Labor. Police Commissioner, Edwin U. Curtis suspended 19 of the union's leaders, and the next day almost three fourths of Boston's more than 1,500 policemen went on strike.

Bands of hoodlums roamed Boston for two nights, smashing windows and looting stores. Coolidge mobilized the state guard, and order was restored.

When Curtis fired the 19 suspended policemen, Samuel Gompers, president of the AFL protested to Coolidge. In reply, Coolidge made his famous declaration: "There is no right to strike against the public safety by anybody, anywhere, anytime."

Coolidge won re-election in 1919 by a record vote. In 1920 he received some votes for the presidential nomination at the national convention that chose U.S. Senator Warren G. Harding of Ohio. The delegates then gave Coolidge the vice-presidential nomination of the first ballot.

Early on the morning of Aug. 3, 1923, while vacationing on his father's farm, Coolidge was awakened with the startling news of President Harding's death. He dressed and knelt in prayer, then walked downstairs to the dining room. There, by the light in a kerosene lamp, his father administered the presidential oath at 2:46 a.m.

After that, President Coolidge went back to bed and slept!

'FLAT' TAX...Recently we have been reading in the newspapers about changing the income tax. Senator Jesse

Helms is sponsoring a bill that would do just that.

So are Senator Bill Bradley and Rep. Leon E. Panetta, both liberal Democrats.

The U.S. Chamber of Commerce and several liberal study groups are attempting to find an alternative to President Reagan's proposal. Barron's magazine approves the idea, and so does the *Washington Post* and the *New York Times*. However, few give it a chance to become law.

The idea would be to slash the Federal income tax with its 12 brackets and high rates to a new low rate schedule.

Although the proposals vary, all call for tax rates of 10 to 20% on incomes from \$17,500 to \$50,000 in one version and a 25% tax on income above \$50,000 in another.

All would permit a deduction from income for family and dependents, including the taxpayer, so that those earning below a certain level would pay no tax.

Part of the reason for the proposal's support is the intricacy of the current system of itemized deductions. As the tax code has evolved a bewildering number of opportunities to shield income from taxation have been created -- mostly in the name of fairness. Interest expenses are deductible, as are business expenses.

Something new from the nation's capital. It may be just talk like the balanced budget! Lots of people talk about it but nothing seems to come from talk.

ILLICIT SEX...House Speaker, O'Neal last week denounced new calls for a special prosecutor to investigate allegations of congressional drug use and illicit sex. The Massachusetts Democrat said if the House Ethics panel can't "work with honesty and fairness, then we shouldn't be making laws for this country."

SURPLUS...It could be that the U.S. Government could sell off enough government owned land to pay off the national debt if it decided to do so. Just a fleeting thought!

## Browsing in the files of The News-Journal

25 years ago

15 years ago

Thursday, July 18, 1957

President John F. Campbell of the Raeford Chamber of Commerce, Inc., announced Tuesday that the board of directors of the Chamber had agreed on a contract with Phil B. Rieg, of Fayetteville, to be the first full-time professional manager of the Chamber, and had made plans with him to open an office here on September 1.

The gas war which has been raging through Piedmont North Carolina for the past few days spread into Moore County on Monday and reached Raeford about midday Wednesday. Most major company stations here were advertising regular grades at 23.9 today.

County Agent W.C. Williford said today that while the swarms of new and hardier species of boll weevils which were reported this week in Scotland, Marlboro and Dillon Counties had not been detected in Hoke County as yet, but he warned local farmers to keep close watch for them.

The marketing quota penalty rate on "excess" cotton of the 1957 crop will be 18.5 cents per pound, according to Hoke County ASC office.

Four Hoke County 4-H Club girls, Jenny Jones, Annie Marie Autry, Louise Parker and Catherine Hair, accompanied by Miss Josephine Hall, home agent, will attend the annual 4-H Club week at State College in Raleigh next week.

Thursday, July 20, 1967

Members of Parker's Methodist Church in Wayside Community are up in arms over a proposal to build a drug strip across Highway 401 from the rural church.

The most sought out person among the hundreds of people attending the McPhaul family reunion at Antioch each year is a lively lady who just celebrated her 95th birthday. She is Mrs. Evaline Walters, of Cole Avenue, wife of the late Thomas Edwin Walters.

Raeford merchants, businessmen and others strongly favor the "Uniform Monday Holiday" proposals now before Congress, a survey shows.

Personalized license plates are being offered to automobile owners in Hoke County and other North Carolina communities on a first-come, first-served basis.

Hoke County farmers voted overwhelmingly in favor of tobacco quotas which would control acreage and poundage for the next three years in a referendum held across the state.

Raeford Presbyterians, who won the regular season slow pitch softball league title, scored a dozen runs Tuesday night to stay alive in the post-season church league tournament, stopping the Methodists 12-6.