

Opinions

For commercial fishermen it is no luxury cruise

By Lucien Coleman

Sorry, friends, but I just can't resist telling you a fish story.

About two years ago, I had the good fortune to meet Jim Woodland, a commercial fisherman who resides in Chatham, Massachusetts, a delightful little town out on Cape Cod. He invited us then to come up and go fishing with him some day; and last week my wife and I were able to take him up on his invitation.

Now, you've got to understand that this wasn't the kind of deep-sea fishing trip we see in the movies. No fancy party boat equipped with swivel chairs. No beautiful maidens plying paying customers with food and beverages. The Lan-Chris was a working fisherman's boat, filled with nets and functional equipment. We untangled our own hand-lines and ate our sandwiches out of a paper bag.

Having never been deep-sea fishing before, I was more than a little nervous about going 30 miles out into the Atlantic on a 37-foot

Things That Matter

boat. All the horror stories I had heard about sea-sickness were rekindled when, the evening before our fishing trip, another commercial fisherman told Jim and me how one of his crewmen had spent the previous night, and most of the day, hanging over the side.

But, as it turned out, the sea was gentle as we made our way out of the harbor at sunrise the next morning. And it stayed that way the whole day. The only problem we had was that the Dramamine we had tanked up on almost put us to sleep.

Since this was a workaday cruise for Jim, the first business of the day was to lay his nets -- more than 7,000 feet of them. Then we spent the next three hours fishing for cod with hand-lines.

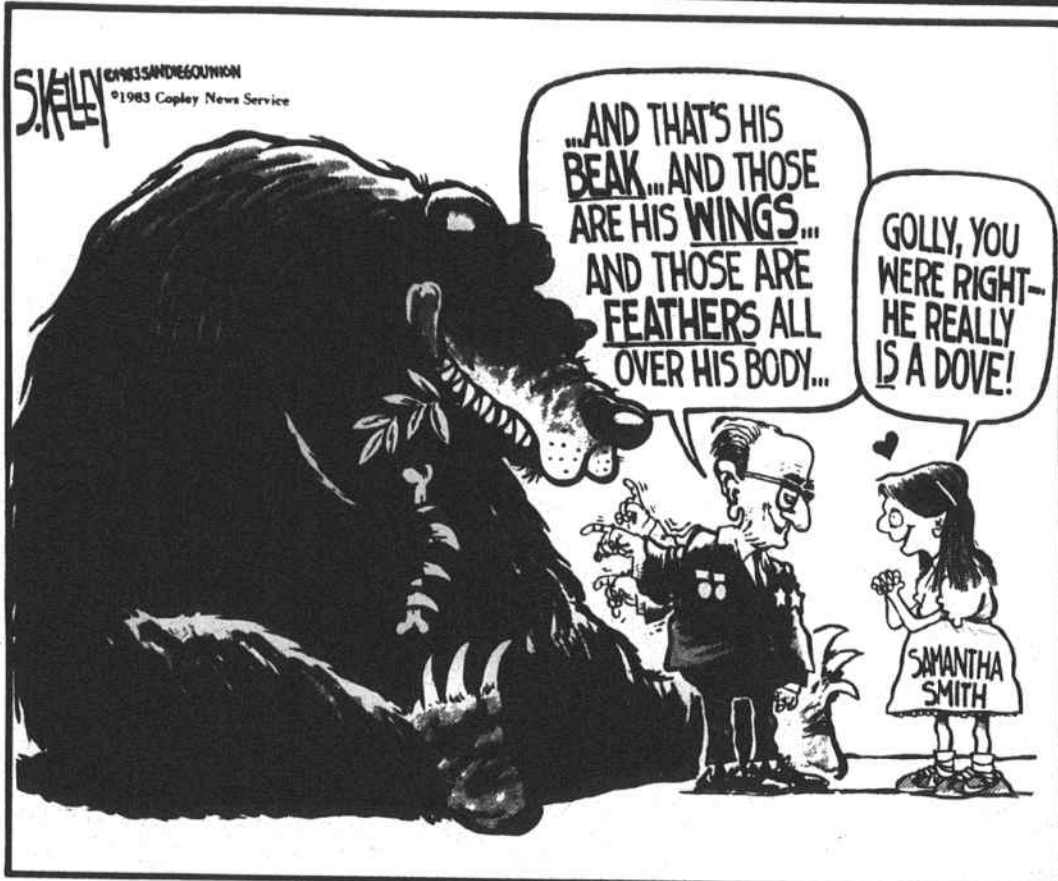
Jim had an uncanny instinct for finding where the fish were hanging out, in all those miles of open ocean. Not once did he fail to park the boat squarely on top of a

school of cod, feeding about a hundred feet below. In about three hours, we managed to put about 600 pounds of fish in the box.

Never again will I feel quite the same about pulling in those small perch and bream which infest most fresh-water lakes and streams. Not after experiencing the thrill of landing two, and even three, 20-pound cod on the same line. The smallest keepers ran about five pounds; the largest somewhere around 40 pounds.

I had fun. But I also developed a keen appreciation for the hard, dirty, hazardous work of a commercial fisherman. These guys put in 14-hour days, during the fishing season, often in rough weather and under risky conditions. With modern radar, sonar, and radio equipment, their work seems routine enough. But their boats are small, and the sea is awesome in size and temperament.

I don't think I'll order fish-and-chips again without remembering what it costs them personally to provide food from the sea.



Parents did all they could

By Charles Lewis
Associate Professor of Law
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If a minor child has willfully or maliciously injured another person or another person's property, the parents who have custody will be liable for up to \$1000 under North Carolina General Statute § 1-538.1.

In addition, if a plaintiff can show that the parents in some way caused the child to do the damage, the plaintiff can also sue the parents under rules developed by case law and not be limited to \$1000 in damages.

Suppose, however, that parents know or should know of dangerous propensities of their child but fail to exercise reasonable control over the child so as to prevent injury to another person or property. Should the parents in that case be liable for damage done by the child?

The Supreme Court of North Carolina has recently held that a factual situation meeting the conditions of this hypothetical should indeed be liable for damages done by their child.

In a recent case in North Carolina, the parent, who had custody of the child, was sued for

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the damages done by that child when the child drank a large amount of whiskey, took some drugs, broke into a house and seriously assaulted the plaintiff who lived there. Plaintiff's theory in the suit was that the child's parents knew or had reason to know that the child used drugs and was of a dangerous mental state and disposition which made it foreseeable that he should intentionally injure others unless reasonable steps were taken to supervise and control him.

Naturally, the plaintiff asserted that the child's parents did not take the necessary reasonable steps to supervise and control the child so as to prevent him from injuring others.

The Supreme Court of North Carolina agreed that the parent of an unemancipated child may be held liable in damages for failing to exercise reasonable control over a child's behavior if the parent had the ability and the opportunity to control the child and knew or should have known of the necessity for exercising such control.

In this particular case, however, the court found that the crime oc-

curred in the early morning hours when the parent would not ordinarily be expected to be watching the child.

In addition, the parent had sought psychiatric and psychological counseling and treatment for this child at an early stage in his life. The parent had sought professional help for the child when it was realized that he was using drugs.

In short, the court found that the parent could not have done more short of physically restraining the child and placing him under observation for 24 hours a day.

The parent then was not liable for the damages caused by the child because the factual situation did not fit within the rule established by the court.



Early So. Carolina railroad started Sandhills network

By S. David Carrier
National Railroad Museum

Chesterfield County, South Carolina, will soon enjoy its 130th anniversary in railroading. It is the first county on the Carolina Sandhills area to have an operating railroad within its bounds. November 29, 1853 is the date that the connection was made between Darlington and Cheraw, South Carolina, but it is the beginning of a much larger picture. During that 130 year period Chesterfield County has seen at least 40 different railroad operations!

The first line to be built was the Cheraw & Darlington R.R. It was completed in 1853 between those two towns.

The C & D was known for their net earnings, which totaled \$700,000 between 1868 and 1893, even though the line had only 40 miles of track. The line was built with the Southern gauge of five-feet.

In 1857 the Cheraw & Coalfields R.R. was chartered and began to buy the right-of-way for its line. But the Civil War thwarted its plans before any track was laid. The company changed its name in 1868 to the Cheraw & Salisbury R.R. and then began construction towards Wadesboro, North Carolina.

After 11 years of attempted construction on the 26 mile line, the C & D stepped in and completed it in

months. But the completed line in 1880 was of General Palmer's famous three-foot gauge. It connected in Wadesboro and in Cheraw with five-foot line lines and became not only impracticable, but unusable.

So in 1883 the C & D converted the C & S to a five-foot gauge line, as it was now operated by the C & D. But by 1886 the U.S. standard gauge of four feet, eight and one-half inches was adopted, so the C & D had to again change the gauge of both the C & S RR and the C & D RR from five-feet to the present standard gauge.

The Cheraw & Chester R.R. was never built into the county, but was graded all the way to Cheraw. It was also built as a three-foot gauge line to connect with the C & S in Cheraw.

The line was in operation in 1877, but ceased new construction in 1880 in Lancaster. It is possible that this occurred because of the C & D takeover of the C & S. The line eventually became the Lancaster & Chester Ry in 1896.

By 1892 the C & D owned 110 miles of track, the mainline of which extended from Wadesboro to Cheraw to Florence. In 1898 the C & D became part of the Atlantic Coast Line R.R. of South Carolina. In 1900 the ACL of SC became part of the ACL of Virginia, and in 1901 it became part of the ACL Railroad.

The third line to be built into Chesterfield County was the Palmetto R.R. The line was built in 1887 from Hamlet to Kollock (Wallace) and into Cheraw. It crossed the Pee Dee River with 3940 feet of wooden trestle and 600 feet of iron bridge. Under a financial reorganization in October 1895 the line became the Palmetto Railway. It was absorbed by the Seaboard Air Line Ry. in 1901.

The SAL Ry. experienced a financial reorganization in 1916 to become the SAL Ry. Co. A second reorganization in 1946 brought the SAL RR. Later in 1967 the SAL RR and the ACL RR merged to become the Seaboard Coast Line RR. This railroad became part of the Family Lines Rail System in 1974, which experienced a full corporate merger in 1983 to become the Seaboard System Railroad.

In 1981 they also joined the Chessie System in the corporate holding network CSX.

The years 1900-1903 saw four new lines in Chesterfield County. The fourth line to be built was the Chesterfield & Kershaw R.R. in 1900 between Cheraw and Camden.

The 55 mile line lasted only 51 days before it was operated as a part of the SAL association. It operated for 18 months under the C & K banner before it merged into the SAL Ry. in November 1901.

The fifth line to be built was the Chesterfield & Lancaster R.R. in 1901. It was built from Cheraw to Chesterfield and Pageland and operated until the early 1950's. After 1923 the SAL Ry. Co. owned the C & L R.R.

The sixth line to be built was the Charlotte, Monroe and Columbia R.R. It was built in 1902 between McBee and Jefferson. The 18 mile line was reorganized in 1908 and 1909, and became part of the Carolina, Atlantic & Western Ry. in 1912. Ownership was then passed on to the SAL Ry. Co. in 1918, but the line retained its original name.

The seventh line to be built was the Bennettsville and Cheraw R.R. It was completed in 1903 from Sellers to Bennettsville to Kollock, a distance of 45 miles. It had trackage rights over the SAL Ry. into Cheraw and ran until 1950.

The eighth line to be built was the South Carolina Western R.R. It was built in 1911 from McBee to Hartsville and Florence.

The 38 mile line expanded to 75 miles in 1912 with six locomotives. In 1914 the line became a part of the Carolina, Atlantic & Western Ry.

There is more to say about Chesterfield County railroading. Next month the National Railroad Museum will revisit the Pinehurst Electric Railroad, the only traction line operating in the Sandhills, and the new Aberdeen & Briar Patch Ry. which is to begin operations this summer.

The Sandhills Railroading Project now encompasses 286 different railroad companies in its 152 year history. Come see us at the Museum in the old Hamlet Depot, and join us in next months articles on Sandhills Railroading.

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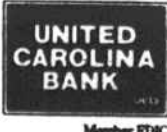
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