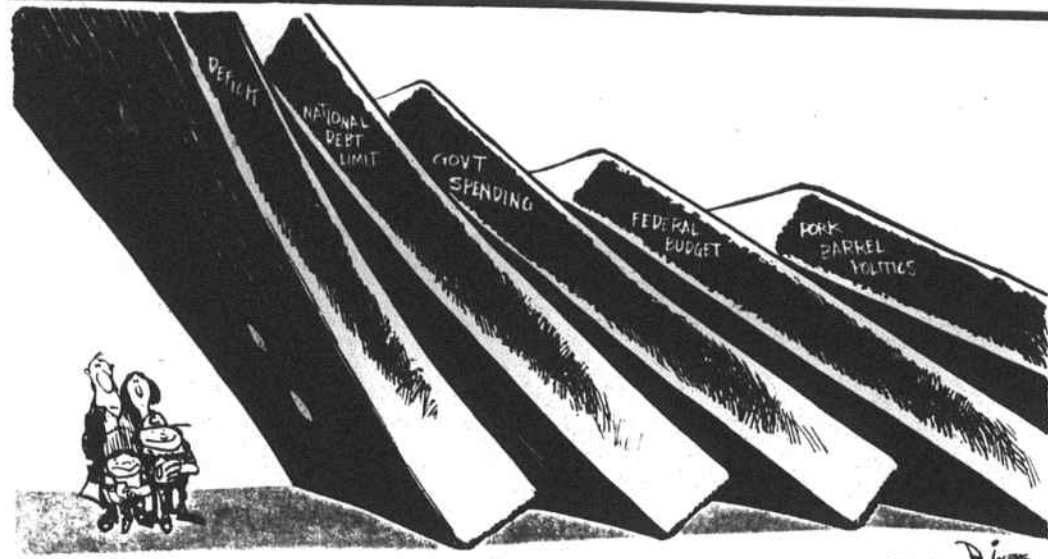


Opinions



DOMINO THEORY

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Most debtors prefer liquidation

by Charles C. Lewis
Associate Professor of Law
Campbell University

Law For Laypersons

Approximately seventy to eighty percent of all bankruptcy filings are made under Chapter 7, the liquidation section.

In other words, most debtors who take advantage of the bankruptcy laws want their property to be liquidated and their debts to be paid as much as possible out of the proceeds.

The bankruptcy trustee has the responsibility of collecting all of the debtor's property so that it can

be sold to pay as much of the debt as possible.

You might wonder, however, how the bankruptcy trustee finds out about what property the debtor actually owns.

The most obvious way for the bankruptcy trustee to discover what property the debtor has is to look at the schedules which the debtor must file along with his bankruptcy petition. The debtor must show on these schedules ex-

actly what property he owns and what debts he has incurred.

Sometimes, of course, a debtor might not disclose all of his property on the schedule, hoping obviously to save some property from sale by the trustee. The trustee, however, may nevertheless find out about hidden property as a result of a meeting held with all of the debtor's creditors.

At the meeting of the creditor's the debtor must appear and submit to questioning about his property under oath.

Woman brings ear to court

By Sherry Matthews

About this time 28 years ago President Dwight D. Eisenhower was serving his third year in the oval office, and the AFL and CIO merged into a powerful 15 million member organization.

Back in Hoke County, the Raeford Theatre was re-opening its doors after remodeling and installing a new 25 foot screen and "The Girl Rush" starring Rosalind Russell and Fernando Lamas was set to be shown opening day.

It was also during this time, in August 1955, that *The News-Journal* reported that Moore County was refusing to take Hoke County pupils into their school system.

"Acting County Superintendent W.T. Gibson said this week that he had been notified that the Moore County board of commissioners had declined to accept the offer of Hoke County of the Little River School tax plus the purchase of two buses in return for the privilege of having 178 Hoke County school children of Little River Township attend the Moore County Schools."

The August 11 article also indicated that if Moore County refused to accept the offer, then Hoke would have to "make arrangements for the children to attend Hoke schools during the 1955-56 year."

In the August 18 edition of *The News-Journal* it was reported that a Hoke County youth was sent "to the roads" for biting another person's ear.

"An incident involving the loss of a woman's ear, not unlike the "Jenkins Ear" incident of the history books, and far from humorous to the principals involv-

About This Time

ed, came up in Hoke County recorder's court this week.

John C. Jones, 19, pled guilty of biting off the ear of Roxie Little, and she brought the ear to court as evidence.

Jones was sent to the roads for not less than 12 nor more than 18 months."

The August 25 edition of *The News-Journal* reported the fatal auto accident that killed a "new bride."

The headline read: Highway Collision Saturday is Fatal To Sergeant's Bride.

"Shortly after 2:00 o'clock Saturday afternoon a young Air Force sergeant and his bride were returning to Pope Air Force Base after having been married on August 10, driving on the right side of the road at a legal rate of speed when death in the form of a big tractor-trailer truck struck.

"The wife was killed, the sergeant was injured and their 1953 Mercury sedan was destroyed. The tractor was damaged and the driver of it suffered minor injuries. Davis, 22, and his wife Louise who died on the way to a Fayetteville hospital. Sergeant Davis was thought at first to have suffered near-fatal injuries, but is now expected to recover.

"The driver of the truck, Howard H. Wilson, was charged with manslaughter and was released Tuesday under a cash bond of \$1,000."

In a later edition of *The News-Journal* it was reported that a "tobacco thief" had been caught by Hoke Sheriff's deputies.

The headline read: Tobacco Thief Foiled By Buckshot Wednesday Night.

"Sheriff D.H. Hodgin and Rural Patrolmen D.J. Jones and L.W. Stanton feel that a break may have come in a tobacco theft on Wednesday morning, although it may be difficult to connect with others in the county recently.

"Two youths guarding a vacant house used for tobacco storage shot a man down through the door and officers think they located the same man in a Bennettsville hospital yesterday.

"The boys were put in the tenant house to sleep and guard several thousand pounds of tobacco and were armed with a single-barrel shotgun and a buckshot shell.

"The boys say that about 12:30 someone began tampering with the chain and padlock on the front door of the house, and that after it became apparent that whoever it was intended to get in, they fired the buckshot through the door.

"They could tell from the noise that someone was hurt and that others were helping him away.

"Wednesday, a bus driver reported to Marlboro County officers in Bennettsville that he had seen an apparently injured man beside the road. These officers picked the man up and carried him to the hospital.

"Doctors said the man was seriously wounded with a hole in his leg about the size of a half dollar and much larger one in the back.

Hoke County authorities believe the man in the Bennettsville hospital to be the tobacco thief the boys shot the night before."

Moving is 'nerve-wracking'

by Lucien Coleman

Americans move once every five years, on the average. My wife and I aren't average. We recently moved for the first time in 17 years, all the way from Kentucky to Texas.

If you, too, are planning a move, the most important advice I can give you is, "Don't do it." I haven't been through such a nerve-wracking, body-breaking, soul-trying experience since marrying off our youngest daughter. Just going through 17 years accumulation of stuff in your basement is enough to make a strong man cry, to say nothing of the trauma of trying to get it into boxes.

One rule to remember when you move is, "There is always more than you think." Everything in your house starts expanding the moment you start packing it up. For every box you throw into a carton, two more appear on the shelf. And you won't believe what you can get out of your basement, attic, and closets. I found horse collars, milk cans, bowling balls, broken umbrellas, defunct toys, battered briefcases, and non-working appliances I never knew we had.

Another rule, commonly called "Murphy's Law," certainly proved to be true. "If anything can go wrong, it will." For example, just as soon as we put our house in Kentucky on the market the roof began to leak in two places, in-

Things That Matter

terest rates zoomed upward, and signs went up just across the street proclaiming to prospective buyers that apartments were soon to be built in full view of our picture window.

The sweaty physical exertion of moving is hard enough. But the emotional side of it is even tougher.

You'll know what I mean if you've ever had the experience of hearing your front door click shut for the last time, or saying goodbye to the garden you've cultivated for more than a decade and a half, or driving down a familiar tree-lined street, knowing you'll not come that way again. You can suddenly feel that you've lost your roots.

A home isn't made of bricks and boards. Memories make a home. I walked through our Kentucky home the other day for the last time and remembered.

In the living room we had witnessed my father's second wedding, entertained countless visitors, and opened scores of packages on Christmas morning. There were the bedrooms where both our daughters had bent over the cribs of newborn infants, and the kitchen which had so often been filled with the aroma of baking bread. And the family room, site of birthday celebrations,

receptions, New Year's football orgies, and friendly gatherings.

I turned away, locked the door, and walked to the car, annoyed at the lump in my throat, because I hadn't intended to get emotional.

As we backed out of the driveway, then drove slowly down the street, I kept thinking of what Thomas Wolfe said. "You can't go home again." But as we turned onto the open road and headed south, I realized more clearly than ever before that home is not a place.

Dees Aboard Dewey

Navy Machinist's Mate 3rd Class Melvin L. Dees Jr., son of Rachel W. and Melvin L. Dees, Sr. of Route 2, Raeford, is a crewmember aboard the guided missile destroyer, USS Dewey, homeported in Charleston, South Carolina.

The Dewey is currently deployed to Northern Europe as flag ship of the Standing Naval Forces Atlantic, a squadron of destroyers and frigates representing countries of the North Atlantic Treaty Organization.

The multi-national force operates to demonstrate the unity and capability of the NATO alliance.

Port visits are scheduled in the Netherlands, Germany, Denmark, Canada and the United States.

The Dewey is 513 feet long and carries a crew of 377.

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