

THIS IS THE LAW

By Robert E. Lee (For N.C. Bar Association)

What is burglary?
Burglary is the breaking and entering of a dwelling house of another, in the nighttime, with the intent to commit a felony therein. Any room used as a sleeping apartment in any building is included within the definition of a dwelling house. Burglary is generally committed with an intent to steal, but there are frequent cases where the intent is to rape or commit other serious crimes.

If a person breaks into a dwelling house at night with an intent to commit therein a crime not sufficiently serious enough to be classified as a "felony," he cannot be convicted of burglary. He will in this instance be convicted of a lesser offense.

The intent to commit the felony must exist in the mind of the defendant as of the time of the breaking into and entering of the house. For example, if a person breaks into a dwelling house at nighttime to merely look at documents or valuable pictures, he is not guilty of burglary, because there did not exist in his mind as of the time he broke in and entered an intent to commit a crime serious enough to be designated a "felony." This is true even though after entering the house he changes his mind and decides to steal the documents or pictures, and in fact does steal and carry them

Navy base in the Pacific, on or about November 22nd. The Japanese Government continued to negotiate with U.S. officials in Washington, giving the impression there was a chance differences would be settled. Early on the morning of the 7th Japanese aircraft appeared over the battleships and other ships of the U.S. fleet, which were tied up in neat rows (fortunately U.S. carriers were at sea) and wrecked many of the ships, killing thousands of Americans in the process. This was the sneak method the Japanese had used to attack Russia in 1905. This time, however, the Japanese had bitten off more than they could chew.

Though they won victory after victory in the opening of the war, the tide turned against them at Midway (June, 1942) and at Guadalcanal (August 1942-February 1943) and a massive U.S. military steamroller began moving steadily toward Japan, island hopping from one place to another along the long road. Though Japanese soldiers and sailors fought with great bravery - usually refusing to surrender - U.S. forces defeated them time after time, sometimes wiping out large garrisons to the last man.

But the cost was heavy and many American families are lonelier today because of dear ones lost in the greatest of world wars, begun - for America - on the 7th, a Sunday, in 1941.

away, thereby committing a felony.

But, on the other hand, if he breaks into and enters a dwelling house at nighttime with intent of stealing documents or pictures, and upon examining the documents then decides that they are not worth taking, and in fact does not remove them, he is nevertheless guilty of burglary in the first degree, because the intent to steal or commit a "felony" existed in his mind as of the time he broke into and entered the house.

What is the punishment for burglary in North Carolina? The crime of burglary in North Carolina is divided into two degrees, first and second, depending upon actual occupancy of the dwelling or sleeping apartment at the time of the commission of the crime.

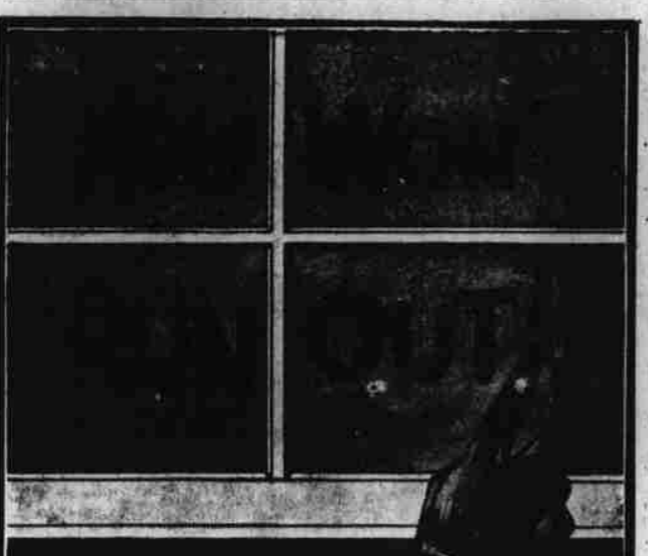
If the habitation is actually occupied at the time of the commission of the crime, it is burglary in the first degree and punishable by death or life imprisonment. If the habitation is not actually occupied at the time of the commission of the crime, it is burglary in the second degree and punishable by either life imprisonment or for a term of years in the discretion of the judge.

The law has always regarded burglary as one of the most serious or aggravated crimes. The law has been zealous in the protection of a man's home. It is in his home where he relaxes and sleeps.

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Editorial . . . Christmas Is For Children Everywhere

A medical study in Lahore, Pakistan, shows that 9 of 10 babies who reach their first birthday have already started a lifetime of undernourishment. The Associated Press reported recently.

Other studies have shown that malnutrition afflicts half the children in underdeveloped countries, and may cause permanent mental and physical damage in the young.

These poignant facts underscore the holiday-season CARE Food Crusade appeal, which asks Americans to help the world's hungry children grow into healthy, educated, self-supporting adults. Now, as we plan and shop to make Christmas happy for our children, it behooves us to remember these others who need help so badly.

Under CARE's plan, during the coming year some 23.4 million infants, young children and school children will be fed regularly at institutions - including schools and nutrition centers CARE helped build, and hospitals where CARE-MEDICO teams are working. They form the vast majority of a total 25 million people CARE will help feed in 35 countries, from Latin America to Africa and Asia.

To complete the plan, funds are needed to deliver 6,700,000 food packages, at \$1 per package. U.S. donations of farm goods and operating support contributed by host governments multiply our gift dollars. For example: every dollar can help feed a child for three months; \$10 serves a full lunch to 900 children. Somewhere, the young will thrive and have a brighter future if you mail a check to: CARE Food Crusade, 615 Forsyth Bldg., Atlanta, Ga. 30303.

Pearl Harbor

Perhaps December 7th will mean less and less as the years go by but for all Americans who remember that day in 1941, it will always be a day of infamy, as President Franklin Roosevelt described it in asking for a declaration of war against Japan.

The Japanese sent a fleet to strike Pearl Harbor, the U.S.

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look what i haven't got



A child can be proud of a missing tooth. She knows it will grow in later, better and stronger than ever.

It's different with the opportunities a child may be missing! Like the opportunity to gain the spiritual and moral foundation for adult life . . . and the opportunity to gain inspiration and example from the religious faith of parents . . . and the opportunity to find wholesome interests and friendships among the boys and girls at church.

Sure, she points today with pride to a missing tooth. But what if her parents continue to deny her the precious opportunity for religious training? What if she is forced to grow up without the faith and moral conviction life constantly demands?

WILL SHE BE PROUD OF WHAT SHE DOESN'T HAVE?

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Ephesians 6:1-9	1 Peter 2:11-25	Psalms 9:1-11	Psalms 34:1-2	Psalms 103:1-22	Psalms 116:1-19	Psalms 118:1-29

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CONCERN FOR OTHERS
International Sunday School Lesson for December 6, 1970
MEMORY SELECTION: "The fruit of the Spirit is love, joy, peace, longsuffering, gentleness, goodness, faith, meekness, temperance: against such there is no law." --(Galatians 5:22-23)
LESSON TEST: Isaiah 1:16-17; Matthew 5:21-44; I John 3:11-24.

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In our personal commitment to the Christian faith we are ever constrained to live that faith in all of life's relationships. And perhaps one of the most demanding (and the most rewarding) facets of Christianity is concern for others.

Concern for all men was the ever-present factor in Christ's life on earth, and He was the embodiment of God's concern for all mankind. Concern was the keynote of all His teachings. It was the major responsibility laid on the shoulders of His disciples as He trained them to further His teachings long after He, Himself, had ascended to Heaven. It was what led His footsteps to the agony of the cross.

Love is the essence of the Bible - the Word of God. And the extent to which that love is evidenced in daily life is therefore the measure of the Christian.

While we will never be called upon to make the sacrifice that Christ made in the name of love, we will still be called upon to emulate His loving spirit in times and circumstances that we will find it hard to do so. But perhaps the striving will make the accomplishment the more precious in our eyes when we have achieved the task we have set ourselves! Certainly we will have grown as Christians in relation to the effort we have put forth!

It is natural, when others have "despitefully used us" to cry out against them in our wounded pride; it is natural - but it is not Christlike. Who could have been used more spitefully than Christ? Yet not once do we see Him turning on His enemies, or retaliating? Rather, by His gentle ways and His loving concern, we see the wayward and Godless ones won over to Christianity.

This is still true today, just as it was so long ago when Christianity was gaining its first tenuous foothold in the world.

We are judged by our attitudes, by our outlook, and by our deeds. We are judged by our fellowmen; we are judged by God. If we give mere lip service to our creed, our neighbors are quick to see it . . . and God is even quicker! We are even judged by ourselves! And sometimes we are our own most severe critic - even against our will!

Concern for others is the keynote of a personal, satisfying Christian life. It is not necessarily achieved by the mere writing of a check, followed by the self-satisfied comment: "Well, I've done my part". It is more nearly attained by a kindly action, done at some amount of inconvenience to ourselves. It is effort - directed towards the well-being of another. It is a giving of ourselves . . . to someone weighed down by grief, by pain, by misfortune. It is LOVE in its purest sense - an outpouring of the spirit, and of the heart.

Concern for others has no bounds; it cannot be fenced in by the tenets of "this is done" or "this is not done". It embraces the whole wide, wonderful, terrifying world, and the rewards are equally boundless.

(These comments are based on outlines of International Sunday School Lessons, copyrighted by the International Council of Religious Education, and used by permission).