

This Is The Law

By ROBERT E. LEE
(For the N. C. Bar Association)
SPECIFIC PERFORMANCE
OF CONTRACT

Alexander offered for sale in his store several items of mer-

chandise, all of which were exactly alike. Batts paid the asking price for one of these items, and Alexander promised to deliver the same to the home of Batts. The promised delivery has never been made. May Batts by a legal proceeding force Alexander to deliver the purchased item?

No. There is no legal means by which Batts can get the purchased merchandise. His only remedy is to sue Alexander and obtain against him a judgment for damages resulting from the breach of contract.

A judgment obtained for monetary damages may be satisfied from any real or personal property that the judgment debtor owns. If the judgment debtor has neither real nor personal property out of which a judgment can be satisfied, the securing of a judgment may be a barren vic-

tory. There can be no imprisonment for breach of an ordinary contract.

All states have statutes known as exemption laws, which provide that no matter how just an obligation may be, certain property cannot be levied upon to satisfy a judgment. In North Carolina a judgment debtor may claim a personal property exemption of five hundred dollars and a homestead exemption in real property of one thousand dollars. Only in exceptional cases will a court order a person to do the very thing he has bargained to do in respect to a sale of personal property. In our system of law damages as compensation for breach is the normal remedy. The theory is that in most cases involving items of personal property the disappointed buyer can go into the market and buy a similar article with the money damages he has been allowed for the breach of the contract.

Cherry orally agrees to sell an heirloom to Fisher. If Cherry subsequently decides not to part with the heirloom, may Fisher by a legal proceeding force Cherry to deliver to him the heirloom?

Yes. This is one of the rare and exceptional instances where the defaulting party to a contract, involving the sale of personal property, will be required by court order to do the very thing that he had bargained to do. It is an equitable remedy known to lawyers as "specific performance."

Watched Clock Most Accurate

The world's most watched clock is also the world's most accurate in public view, according to Lryan Houck, local telephone manager. It's located at AT & T's 195 building at the corner of Fulton and Broadway in New York City where thousands of passersby glance at it each day to check their own timepieces.

Houck stated that it is adjusted to Official U. S. Time derived from astronomical observations at the National Observatory in Washington, D. C. The AT & T window clock, designed by Bell Labs, went into service on Nov. 9, 1939. Since then, it has not varied from official time by more than 5/100ths of a second.

The Bell Telephone System now shows a gross plant investment of \$158 for each man, woman and child in the United States, in contrast to an average of about \$4 in 1946.

Musical Comedy Opens July 13 In Charlotte

The Charlotte Summer Theater production of the musical-comedy hit "A Funny Thing Happened on the Way to the Forum", starring Phil Foster, opens Tuesday evening, July 13 and runs through Sunday afternoon, July 18 at Ovens Auditorium in Charlotte.

Phil Foster, star of "A Funny Thing Happened on the Way to the Forum", is known across the United States as one of America's funniest comedians from his appearances on "The Tonight Show", the Ed Sullivan Show, the Perry Como Show, and the Garry Moore program, among others. A veteran of the vaudeville school of comedy, Foster's broad and warm brand of wit has made him a favorite also in the country's leading nightclubs — the Fontainebleau, the Latin Quarter and the Copacabana, to name but a few.

"A Funny Thing Happened on the Way to the Forum" comes to the Charlotte Summer Theater after three smash years on Broadway and a triumphant national tour. Bert Sheveloff and Larry Gelbart, who have created programs for video's top comedians — Art Carney, Bob Hope and Sid Caesar — winning the Emmy, the Christopher and Sylvania Awards, teamed up to write the script of non-stop laughs for "A Funny Thing Happened on the Way to the Forum". Stephen Sondheim, the brilliant young lyricist responsible for "West Side Story" and "Gypsy", created both music and lyrics for this bawdy musical hit. "A Funny Thing Happened on the Way to the Forum" is a Roman romp set in the days when men were master and their wives let them think so. Phil Foster plays the part of Pseudolus, a zany slave who serves two mistresses, laughter and love, and surround himself with an array of lascivious ladies to do his bidding. How he gains his freedom from his kind keeper, the handsome Hero, and plays cupid to all of Rome, makes for a naughty musical-comedy filled with bubbling burlesque and mirthsome song and dance. Among the song show-stoppers are "Comedy Tonight", "Everybody Ought to Have a Maid", "Bring Me My Bride" and "That Dirty Old Man".

Beef Producer Offered Plan

People who grow beef cattle soon discover that they need pens and equipment for holding, sorting and working cattle.

To help meet this need, extension agricultural engineers at North Carolina State University at Raleigh have designed a plan for a beef cattle corral.

H. R. Clapp, Cleveland County extension chairman, says a free copy of the plan may be obtained from the local county extension office. Or, if it is not convenient to come by the extension office, a copy of the plan may be obtained by writing directly to the Extension Agricultural Engineer, N. C. State University, Raleigh, N. C. Ask for Plan No. 415.

Mr. Clapp cites numerous uses that can be made of a corral and handling facility. It is of value for castrating and dehorning calves as well as for vaccinating, spraying, dusting, drenching, branding, performance testing, and artificially inseminating cattle.

Without adequate facilities a cattleman has a tendency to overlook minor ailments which may become major problems. Mr. Clapp points out. The extra labor needed to handle cattle without adequate facilities will pay for a good corral, Mr. Clapp added.

The plan which the Extension Service has prepared according to the needs of North Carolina cattlemen. If you need a handling facility, why not obtain a copy of the plan and look it over.

by mail. The next attraction at the Charlotte Theater is "High Spirits" starring Dorothy Loudon, July 20 through 25.

BOX OFFICE OPENS AT 6:30 SHOW STARTS AT 7:45

Bessemer City - Kings Mountain DRIVE-IN THEATRE

ALWAYS \$1.00 A CARLOAD

WED.-THURS. — 3 HORRORS

— No. 1 — "DAY OF TRIFFIDS"

— No. 2 — "THE RAVEN"

— No. 3 — "CIRCUS OF HORROR"

FRI.-SAT. — 3 IN COLOR

— No. 1 — "A SUMMER PLACE"

— No. 2 — "MCLINTOCK"

— No. 3 — "TARZAN'S 3 CHALLENGES"

ON SAT. MOVIES RUN IN REVERSE ORDER

SUN.-MON.-TUES.-WED. 3 IN COLOR

— No. 1 — "NEW INTERNS"

— No. 2 — "KIMBERLY JIM"

— No. 3 — "NUTTY PROFESSOR"

ON WED. MOVIES RUN IN REVERSE ORDER

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The Bell Telephone System now shows a gross plant investment of \$158 for each man, woman and child in the United States, in contrast to an average of about \$4 in 1946.

The number of Bell telephones now in use tops 71 million, with about 80 per cent of all U. S. homes now served by telephones.

More than two-thirds of the homes with telephones now have individual private lines, compared with only one-fourth in 1946.

RE-OPENING DOT'S FLOWERS
On Bethlehem Road
Formerly Owned by Mrs. Charlie Blalock
PHONE 739-2493
4:29-11p

WINN-DIXIE FOOD STORES
SAVE AT

100 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of KITCHEN SINK SET
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

75 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of EXTRA LARGE BAN ROLL ON Deodorant
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

50 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of 32-OZ. SIZE CAPS Both Oil
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

50 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of 12-OZ. SIZE GULF Insecticide
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

50 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of ONE 2-LB. PKG. TRADE WINDS Shrimp
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

50 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of TWO 1-LB. PKGS. TASTE OF SEA Perch Fillets
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

50 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of TWO 13-OZ. PKGS. MORTON'S DANISH Pecan Twist
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

50 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of SIX 10-OZ. PKGS. ASTOR CHOPPED SPINACH, LEAF SPINACH, OR GREEN PEAS
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

50 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of 2-LB. CUP SUPERBRAND COTTAGE Cheese
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

50 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of 5-LB. PKG. W-D GROUND Beef
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

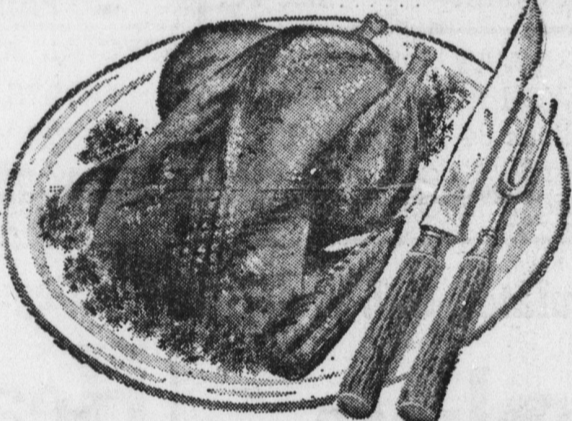
50 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of PKG. TALKADIE CENTER OF ECONOMY Sliced Ham
VOID AFTER JULY 10TH AT YOUR LOCAL WINN-DIXIE

100 EXTRA 1/2% GREEN STAMPS
With this coupon & purchase of \$10.00 or More Order
FREE at your Kings Mtn. Winn Dixie Store. Void After July 10, 1965

FIRM, RIPE SANTA ROSA
Plums 2 Lbs 35¢

STOCK UP TODAY!
QUALITY MEATS AT BUDGET PRICES

CENTER CUT MILK FED VEAL	RIB CHOPS .. lb. 79¢	BONELESS MILK FED	VEAL STEW ... lb. 49¢
CENTER CUT MILK FED VEAL	LOIN CHOPS .. lb. 89¢	FLAVORSOME MILK FED	VEAL PATTIES lb. 39¢
TASTY MILK FED SHOULDER	VEAL CHOPS .. lb. 49¢	STUFFED MILK FED	VEAL BREAST .. lb. 33¢
DELICIOUS MILK FED	VEAL CUTLETS lb. 99¢	FRESH TENDER QUALITY MILK FED	VEAL ROAST .. lb. 43¢
FINEST MILK FED VEAL	CUBE STEAKS .. lb. 99¢	FRESH QUALITY MILK FED	GROUND VEAL 3 Lb. Pkg. \$1



Limit 3, Please
W-D CRY-O-VAC BAKING HENS lb. 29¢

FULL QUARTER SLICED PORK
LOIN lb. 59¢

HYGRADE SLICED SPICED LUNCHEON
MEAT 6-oz. PKG. 29¢

W-D FRYING CHICKEN
BACKS lb. 10¢

SKINLESS DEVEINED SELECT SLICED BEEF
LIVER lb. 49¢

Limit 1 of your choice with a \$5. or more order.
DETERGENT GIANT PKG. 39¢ RINSO BLUE GIANT PKG. 59¢

DEEP SOUTH OR DUKE'S .. Limit one of your choice with a \$5. order
MAYONNAISE PINT JAR 19¢

SOUTH CAROLINA GRADE "A" LARGE PALMETTO FARMS
EGGS 2 DOZ. ONLY 79¢

SCOTT WHITE ASSORTED
TISSUE Roll 10¢

ASTOR DRIP, REGULAR OR FINE .. (Limit 1 with purchases)
COFFEE LB. CAN 59¢

THRIFTY MAID SLICED OR HALVES
PEACHES 4 #2 1/2 Cans 89¢

THRIFTY MAID SLICED OR CRUSHED
PINEAPPLE 4 No. 2 Cans \$1.00

DIXIE DARLING SANDWICH
LOAF BREAD 1 1/2-lb. Loaf 19¢

THRIFTY MAID EARLY JUNE OR
SWEET PEAS 4 #303 Cans 59¢

50 FREE STAMPS WITH PURCHASE OF 12 CANS
CHEK DRINKS 6 12-oz. Cans 49¢

INSTANT .. Limit 1 of your choice with a \$5. order
COFFEE 6-oz. Jar 69¢ 6-oz. HOUSE 79¢

THRIFTY MAID .. VANILLA, CHOCOLATE, FUDGE ROYALE
ICE MILK HALF GALLON 39¢

LARGE FIRM HEAD
LETTUCE 2 HEADS 29¢

JOY
KINGS MOUNTAIN, N.C.
WED.-THURS.-FRI.-SAT.

JAMES BOND IS BACK IN ACTION!
ALBERT R. BROCCOLI HARRY SILVERMAN SEAN CONNERY
IAN FLEMING'S **"GOLDFINGER"**

SUN.-MON.-TUES.
a Swingin' Summer
WATCH FOR
1. "How To Stuff A Wild Bilikini" 2. "The Art of Love"
3. "The Family Jewels" 4. "The Yellow Rolls Royce"
5. "McHale's Navy Joins The Air Force"