

# This Is The Law

## ALIMONY DECREE

Is a court order for the support and maintenance of a wife terminated if she subsequently obtains an absolute divorce?

Not unless she initiates and obtains an absolute divorce on the ground of one year separation.

If it is her husband who has initiated and obtained an absolute divorce on the ground that

they have lived separate and apart for one year, then such decree will not impair or destroy her right to alimony or other rights provided in an earlier decree. Therefore, the prudent wife will let the husband be the plaintiff when an action for divorce is instituted on this popular ground.

A divorce obtained, with personal service on the defendant spouse, upon the ground of adultery will terminate a dependent spouse's award of alimony.

What is the effect of remarriage upon a dependent spouse who is receiving money under an alimony award?

In North Carolina, by statute, the periodic payments will automatically terminate.

To hold that a wife is entitled to be supported by two husbands violates one's sense of justice. A man can think of few things more unfair than be compelled to contribute to the support of another man's wife—possibly a successful rival.

May a wife continue to receive monthly payments under a separation agreement if she subsequently becomes divorced and remarries?

This depends upon the agreement, that is, the intention of the parties, as expressed therein.

No question of construction ordinarily arises where the separation agreement, by its terms, unequivocally provides that the husband's obligation shall, or shall not, terminate upon the wife's remarriage.

A valid property settlement entered into between the parties will generally not be disturbed because of the remarriage of the



(News items this week from Durham, Davidson, Macon and Columbus counties).

### NUTRITION-ON-WHEELS

A mobile exhibit bearing the caption, "Make Shopping a Ball," traveled through the three counties in October.

The nutrition-on-wheels display, sponsored by the Family Living Committee of the North Central Area Development Association, challenged homemakers to ease the tension of food shopping by planning meals in advance to save time, energy and money.

According to Mrs. Mary J. Whitmore, assistant home economics Extension agent, Durham County, many young homemakers lack skills in food buying. In many instances, day-by-day and between meal shopping results in food waste, unnecessary spending and wasted time and energy, she points out.

What is the rule for determining the amount of an alimony award?

There is no fast and fixed rule. The North Carolina statute provides: "Alimony shall be in such amount as the circumstances render necessary, having due regard to the estates, earnings, earning capacity, condition, accustomed standard of living of the parties, and other facts of the particular case."

May a court order for alimony be subsequently modified? Yes. A court order for the payment of alimony may be modified or vacated at any time upon a showing of changed circumstances by either party.

### WHAT'S HER NAME?

When an Extension home economics agent is being introduced, and the person can't remember what her last name is — the result is this: "Oh, she works for the Extension Service in the County Building where they can answer all questions on everything from food, poisons, cleaning, family planning, clothes, management, and what have you."

In this case, "what's her name" was Mrs. Jane L. Ebert, home economics Extension agent, Davidson County.

Mrs. Ebert concludes "It's just as flattering being known for your profession as it is being known by name."

APPLIES WHAT SHE LEARNED "Everything I have learned at Extension Homemaker's club meetings pertaining to housing is helping me a lot," states Mrs. Jack Mashburn, Macon County.

Mr. and Mrs. Mashburn are in the process of remodeling their house, observes Mrs. Jessie D. Cabe, home economics Extension agent, and information gleaned at meetings has been helpful in the remodeling of the kitchen and in the planning of the eating and serving areas.

Mrs. Mashburn says the knowledge of planning the arrangement of definite work centers as well as specific space allowances and clearances has been most



## Congressman James T. Broyhill's Washington Report

### AIRWAYS AND AIRPORTS

It can be said that the Federal government sometimes imagines problems where they don't exist in its zeal to move in with bureaucracy and money. However, progress and national needs often

helpful.

### TRIES SOMETHING NEW

Mrs. Ada Jenkins, one of four nutrition aides in Columbus County, found a way to reach several persons with the same information. Instead of making five individual visits, she decided to get homemakers in the Evergreen community together and present information on the importance of milk in the diet to several at one time.

The aide planned a birthday party for an elderly homemaker with whom she had been working and invited some of the other community members.

The homemakers enjoyed their group lesson and hope to meet together again for more discussions, Mrs. Yvonne B. Ray, home economics Extension agent, notes.

create difficult problems that Washington is slow to face. Last week, the House of Representatives saw a good example of such an instance when it considered and passed the Aviation Facilities Expansion and Improvement bill.

For many months, my Committee on Interstate and Foreign Commerce has been re-writing the nation's laws involving aviation facilities and safety. The Ways and Means Committee has been drafting new legislation to pay for steps that must be taken to meet the crisis in aviation affecting virtually every American. The bill, as finally written and passed, is, by no means visionary or even liberal. It is probably the minimum effort required to catch up and keep pace with the public's demand for air passenger and freight service.

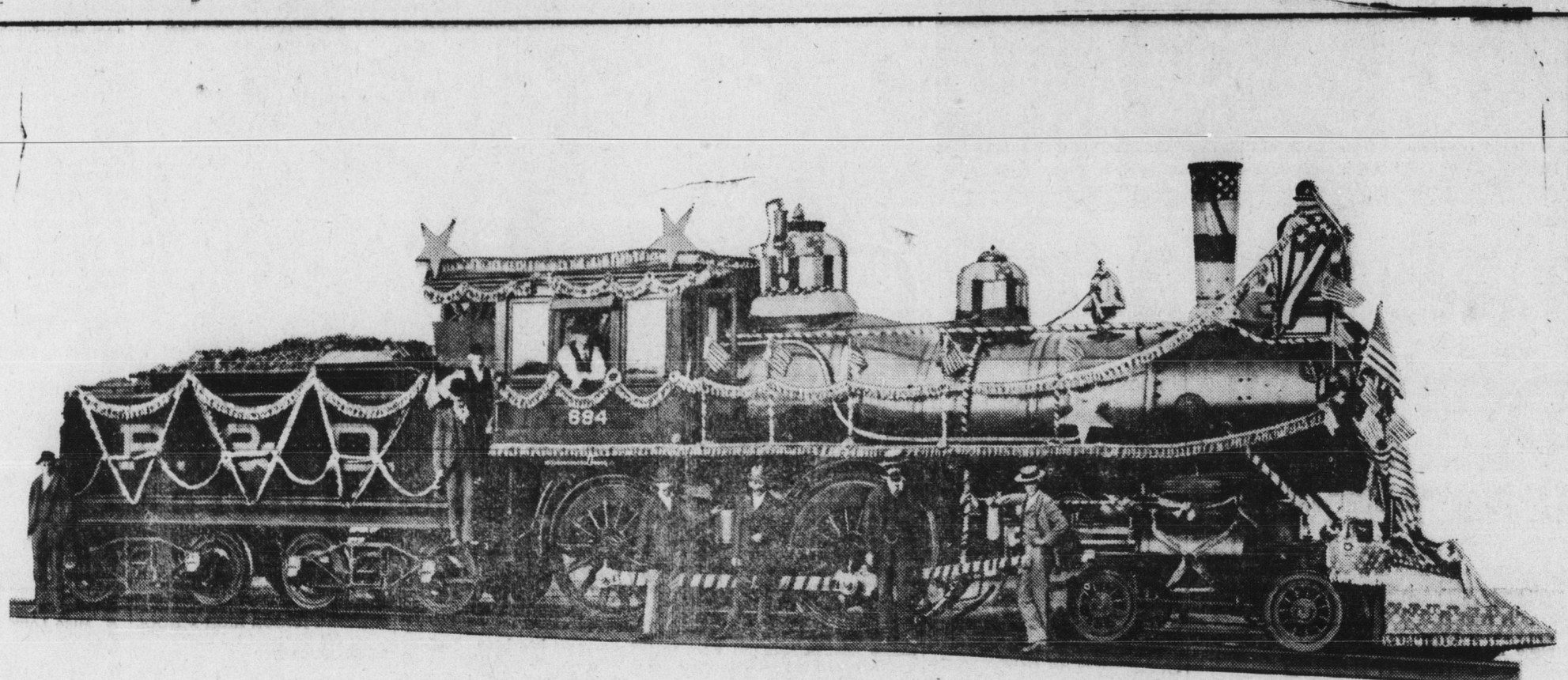
Regardless of economic factors, the use of air transportation will almost certainly double and redouble during the next decade. Advances in aircraft equipment will continue to be revolutionary. Within a short time, jumbo jets carrying 300 to 800 passengers cheaply will be in service. Supersonic transports are to follow and hypersonic passenger planes are next in line. Five years ago, the certified air carrier fleet was composed of 2,079 planes, almost entirely made-up of piston-engine planes. Today, it includes 2,586 aircraft, almost entirely jet-powered. In terms of seat-miles flown, the increase has been from 94.8 billion to 210 billion. In eleven years, by 1980, it is estimated that the domestic certified airlines will enplane 420 million passengers, three times the 1969 figure. Air cargo traffic increases in revenue tons are similarly dramatic and are estimated to reach five million by 1970, to double by 1975, and to redouble to 22 million by 1980.

Already, congestion and inconvenience are common at airports across the nation. Air cargo can cross the Atlantic in six hours, but it may take days to move it out of the U. S. airport to its destination here. However these problems may be, they are secondary to the issue of assuring safety for aircraft and air travellers. The safety record has been, on the whole, excellent, but the congestion threatens to press our facilities beyond their capacity. Around some of our major airports this is already happening.

Our national airways system requires tremendously costly radar and electronic gear and skilled specialists to operate it. Once a plane lands, it is within the airport program. Although there are Federal contributions to airport operation, airports are neither owned or run by the Federal government. Neither are Federal funds used to support or build airport terminals which house money-making commercial businesses that provide substantial incomes for the owners of the airports.

Nevertheless, the Federal government has long-standing responsibilities and commitments to the airways and airports system and an effective way to meet those responsibilities is, I believe, provided in the new legislation. First, a choice had to be made about where the required funds would be obtained. The money could be authorized from the Treasury using regular tax revenues or the Federal government could obligate itself for large and long-term debt. Both of these plans were rejected and a fairer method was decided upon, I believe. By special taxes paid by those using airports and airline service, the general taxpayer can be relieved of this additional burden. The present 3% tax on airline tickets would be increased to 8% and a \$3 tax on inter-national flights originating in the United States would be imposed. Related taxes on aircraft freight, fuel, and aircraft registration fees would go into an Airport and Airway Trust Fund similar to the existing Highway Trust Fund to provide money that air safety and effective management of our airways must have.

Considering the seriousness of the problem, this new legislation is late in coming. We can hope, however, that it will not be too little in meeting the challenge.



This photograph of a holiday-bedecked Richmond & Danville Railroad locomotive was taken in July, 1894, the same month Southern Railway Company was organized with the R&D as its nucleus.

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Southern Railway System, Washington, D.C.



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