

The Hand of Mercy Asked To Be Served To Sherman Clapp

Superior Court Teems Over With Interest When Counsel For Sherman Clapp Asks That Scale Of Mercy Outbalance Scale Of Justice—Sentence Not Yet Meted Out.

Criticism on the one hand and praise on the other for the city police force, referred to as the army of protection, the forming of a mental picture of a Greensboro home made with grief; the possible non-visit of Santa Claus in that home this month; the separation from wife and child and a father who is sick; a law violation by a man of low mentality; a misdemeanor acted by an enemy and malice; an instance of where duty scored over friendship; the utterance of words of sympathy and pathos; the many pleas to right a wrong; a scale with justice on the one side and mercy on the other and a masterful address on boyhood and girlhood were brought out in Superior court yesterday afternoon when Sherman Clapp, who was sentenced in municipal court to 18 months on the county roads for malicious destruction of real property and who appealed from that decision, was arraigned before Judge W. F. Harding.

Don't delay fighting constipation with BRAN that is ALL BRAN!

When constipation flashes its signals of sickness into your eyes and cheeks; into your breath, your brain and your appetite, it is absolutely necessary that you head it off! Toxic poisoning stands close by; Bright's disease and other dangerous diseases await their turn!

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"California Fig Syrup" is Child's Best Laxative



Chrysanthemums

All Colors—All Prices
Summit Ave., Greensboro
Pres. near Summit Avenue
Phone 34

SATAN'S EMPIRE FALLING

"millions now living will never die"

—Judge Rutherford

SATAN'S wicked influence has long been felt in every part of the world. Together with his associate devils he incites people to hatred, strife, murder, and induces war and anarchy, wrecking homes and driving millions to insanity and suicide. Satan caused the fall of man, and established his EMPIRE. His wicked influence has over-reached the denominational churches, causing many clergymen to forsake God and unite with profiteers and politicians to control mankind. But the end is here and his empire is FALLING; and Christ, the rightful king, though invisible, is beginning to reign. Hence the distress of nations, of which Jesus spoke. These troubles will soon reach a climax and disappear, followed quickly by peace and prosperity, as Jesus assumes control.

If you are interested in Bible study and the fulfillment of prophecy, you should hear the lecture by
C. C. Barnhart of High Point,
Neese's Hall
Tonight at 8 P. M.

Judge Rutherford's new book, "Can the Living Talk With the Dead?" explaining the fallacy of the so-called communication with the dead, being a complete answer to Spiritism, sent on receipt of 25 cents in stamps.
The Golden Age News Bureau, Greensboro, N. C.

part of Clapp started shortly after 8 o'clock, and as the light of day was welcoming the darkness of night, the ray of hope that Clapp clung to was changed into a slightly black cloud as Judge Harding announced that he believed the crime was actuated by envy and malice.

While the courtroom was crowded a hand of mercy was thrown out in behalf of Clapp. On one side were those who believed that punishment should be meted out to him. On the other side were those who saw the silver lining. But the hardest task of all was before Judge W. F. Harding. The defendant pleaded guilty but the case was so extraordinary that the legal mind of Judge Harding could not determine the punishment without due consideration. And hence Judge Harding is pondering as to what fate will be meted to Sherman Clapp.

Citizens, most influential and prominent in business circles of Greensboro, appeared on the witness stand and testified to the splendid character of the defendant. They stated that they had known him for a period varying from 8 and 12 years and that they had never seen him attending Sunday school since his violation of the law.

The facts leading up to the arrest of Sherman Clapp, who conceived the idea of dynamiting the gas tank of his competitor on Davis street, the Davis Street Auto Exchange, are well known to Greensboroans. Clapp's partner in the destruction of the tank, Nathan Williams, a negro, was convicted in municipal court and is now serving a sentence of 18 months on the county roads.

It will be recalled that the gas war started as a result of the Davis Street Auto Exchange's selling gasoline at a cheaper price than Sherman Clapp. The latter, angered because his competitor was making more sales, conceived the idea of blowing the tank to smithereens. An accomplice, he secured Nathan Williams, negro, to do the work and paid him the sum of \$5 for this service.

Clapp told Policeman R. D. Hayward of his intention to have the tank blown up and this officer reported to his superiors his conversation with Clapp. As a result Officer Hayward was ordered to keep a close watch on Clapp. The defendant told the officer the night that the tank was to be dynamited, saying that it would occur between 11 and 8 o'clock. Taking this tip, officer Hayward notified the other members of the force and the local police department. It was testified yesterday, when preparing to go to the Davis street section and prevent the incident, but it was just after the explosion occurred.

Officer Hayward testified on the stand yesterday that he did not urge Clapp to dynamite the tank but was merely keeping in close watch of Clapp's actions under the order of his superior officers. Clapp had numerous talks with Hayward and each time the latter reported the conversation to his superiors.

It did not take long for the state to present its case, which was woven chiefly around the testimony of the Greensboro police department and J. T. Witherpoon, proprietor of the Davis Street Auto Exchange. Counsel for the defense introduced character witnesses, chief among them being C. H. Ireland, C. W. Edwards, E. J. Stafford, L. D. Mendenhall, M. H. Plank and W. G. Newell.

Following the presentation of all testimony the climax of the afternoon's session was reached when counsel for both sides addressed the judge, the state asking for justice and the defense for mercy. Representing the former was Solicitor J. C. Bowers who was assisted by R. C. Strudwick. Counsel for the defense were E. D. Broadhurst, Clifford Frazier and Spencer B. Adams. Judge Adams criticized the police department and said that if they had arrested Clapp before the dynamiting had occurred the defendant would now probably be with his sick father, with his wife and child.

Continuing, he remarked, "If your Honor is light with this man, I'd like to be the first to sign a petition to get Nathan Williams off the county roads. When he is in the penitentiary, punishing this defendant? The police got started wrong, now let's right all this. I think I see something to salvage in this man and I ask you to let him go. I'm asking for the two, Sherman Clapp and Nathan Williams. You are the only one who can settle this wrong. This misdemeanor should have been stopped by law."

Judge Strudwick stated that the policemen did in an intelligent and justifiable manner discharge their duties. He stated that the police were preparing to go to the scene and arrest the man when he came off sooner than was expected.

Everything in the courtroom then became quiet. The case was placed in the hands of Judge W. F. Harding. And Judge Harding was perplexed about the entire matter. There were puzzling things connected with the entire affair. He said, "This is the most extraordinary case I have ever heard in my life. This defendant told the police when he intended to do to me it looks as if he was giving them the finest opportunity to prevent crime."

Judge Harding then reviewed the case saying that "it was God's providence that there was no one killed." Continuing, he said, "The defendant notified the police in July what happened in September. What I can't understand is why Mr. Witherpoon was two and a half miles away from his home when he knew that it was going to be dynamited. If I knew that my home was to be dynamited I'd be sure to be there. The actions in this case show that there is an communication between the army of the invasion, the defendant, and the army of protection, the police department. I don't believe the police got the right conception of the case."

Judge Harding then went into detail and defined the duties of officers remarking that the highest duty of any officer in whose hands is placed the administration of justice is not to make arrests but to keep peace from doing wrong. Then he continued, "This defendant was mad with his competitor for selling more gas. He had wrong things in his mind and he went over the top and blew up the gas tank. Take the case of a man brought into court for gambling or having whiskey. What respect will that man have for this court, for ordinary society, if he has been in the penitentiary and this defendant does not. I believe that his crime was actuated by sentence him to jail. I don't know for how long. I will think it over for a day or two. The defendant is in your custody, sheriff."

And thus Sherman Clapp was taken to a cell in the Guilford county jail. But before this term of court is over, he will probably be in the courtroom when sentence will be meted out to him.

Williams is Not Ruled Off

The Local High School Quint

Knot Williams, member of the high school football team during the season just closed, and captain of this year's Greensboro high school quint, stepped into the sport sanctum of this office and informed the general thumper of a gracious typewriter that he has not been ruled off the varsity quint for failure to make his scholastic grades, as was mentioned in the account of a basketball game in Sunday morning's edition.

Williams will captain the basketballers and will probably get into the lineup in the next game. Around his strength of the team is expected to be built.

WHAT IS IN A NAME? THE COURT TO REPLY

Charge Made That Rees's Five Cent Cigar is Too Much Like El-Rees-So.

ASK RESTRAINING ORDER

Are the names of the two brands of cigars, both manufactured in Greensboro, the El-Rees-So and Rees's Five Cent cigar, so similar that purchasers of cigars buying the one may think they are buying the other?

The El-Rees-So company, well known through the smoking world of the South Atlantic States and elsewhere, says in effect that there is too great similarity. The Rees-Mitchell Cigar company, manufacturer of Rees's five cent cigar, contrary minded, denies the contention and maintains that any man wanting a cigar would never be confused between the El-Rees-So and Rees's five cent cigar.

The question will be answered by the courts, probably by Judge W. F. Harding.

The complaint of the El-Rees-So Cigar company, asking for a permanent restraining order, has been prepared by the attorneys, J. D. Broadhurst and F. F. Hogwood, Jr., and is scheduled to be filed this morning. The defendants in the action have been furnished with a copy of the complaint and notice of the action has been given.

In the complaint the plaintiffs, the El-Rees-So Cigar company, pray that the defendants and each of them and their agents, servants and representatives be perpetually restrained and enjoined from using in connection with manufacture, offering for sale or sale of cigars the word "Rees's" or any other word or name in which the word "Rees" forms a part, and further, from doing any act or thing or using any word or name, printed matter, package, device, article or contrivance calculated to imitate the design of plaintiffs' registered trade mark be delivered up and destroyed.

It is further prayed that pending the final determination the defendants be restrained and enjoined from the use of the said marks, designs, names and trade names.

The case, one of the most unusual ever started in Greensboro, grows out of the career of John T. Rees, well known citizen of the city.

Colonel Rees is named as one of the defendants in the action, the others being Ethel M. Rees and W. S. Mitchell, partners trading under the style and firm name of Rees-Mitchell Cigar company.

The El-Rees-So Cigar company was formerly largely directed by John T. Rees, and its product, the El-Rees-So cigar, became well known throughout the trade. The name was registered July 6, 1916, as a trade mark in the patent office and is still in force, the application being signed by John T. Rees, president. As such the cigar was widely sold and gained a name that is said to be of large value.

Colonel Rees sold his interests in the El-Rees-So Cigar company and in October, 1922, organized a new company, the Rees-Mitchell Cigar company, which is manufacturing a cigar called Rees's Five Cent cigar. In so doing, it is charged by the plaintiffs, the defendants used the name Rees, unfairly. Specifically, the defendants are charged with acting as follows: " * * * with intent to take advantage of the name of the plaintiff, the rights and trade unfairly, began to put upon the market * * * certain cigars manufactured by them and applied thereto as the name thereof Rees's cigar, putting up the same in boxes similar in appearance to boxes used by plaintiff * * * that the name or label so used by the defendants is a colorable imitation of plaintiff's said trade mark; that the use thereof is an unfair and deceptive trade name and constitutes unfair competition and trade with plaintiff and is calculated to deceive the public and pass off defendant's product as and for the product of the plaintiff and was so designed. * * *"

Colonel Rees said that the name Rees's five cent cigar was registered with the Tobacco Merchants' Association October 5. He contends that there is wide difference between the names of the two brands, and that he has the right to use his name for this purpose.

A tank for draining gasolines from an automobile when repairs are to be made has been equipped with a pump and hose for returning the fuel.

Itching PILES

PAZO OINTMENT instantly Relieves ITCHING PILES and you can get restful sleep after the first application.

All druggists are authorized to refund money if PAZO OINTMENT fails to cure any case of ITCHING, BLIND, BLEEDING or PROTRUDING PILES. Cures ordinary cases in 6 days, the worst cases in 14 days. 60c.

DR. BELL'S Pine-Tar Honey

Best Remedy for Coughs and Colds

The slightest cold may develop into grippe or influenza. Be protected at the first onset by beginning with Dr. Bell's Pine-Tar Honey. This great time-tested remedy cures quickly, soothes the throat, relieves the chest, and keeps the system healthy. It is the best remedy for children. At all drug stores.

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All for \$1

Special Christmas Offer: 2 dozen five-cent packages Little Sun-Maid Raisins—\$1.20 worth—all for \$1.

Make two dozen kiddies happy with them. Stick them in the stockings. Let the little people send them out to little friends as Christmas gifts.

Luscious, healthful Christmas sweetmeats, both good and GOOD FOR THEM.

Get them now—in a cardboard carton—24 for \$1—at any store.

Little Sun-Maids

"Christmas Raisins" So Everywhere Had Your Iron Today?

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Do you ever start the day with nerve tension, head throbbing, your whole frame taut and "on edge"?

Pure aspirin alone, you may fear to take because it gives you heartburn—but bear it no longer.

TINGLES' LAXO ASPIRIN, the new perfected aspirin, combines the wonderful pain combating powers of genuine aspirin with a digestant added to prevent this after-discomfort.

Its laxative qualities further benefit the general system, enabling the body to throw off the toxins or poisonous wastes, which when pent up in the system are the cause of headaches and pain.

No aspirin on the market can so readily attack the pain of nervous headaches. Be pure when you ask for aspirin to ask for TINGLES' LAXO ASPIRIN, the aspirin with the three points:

- It's absorbed easily
- It relieves pain quickly
- It's a gentle laxative

TINGLES' LAXO ASPIRIN

Ask your druggist for the "Three Point Box." Therapeutic Research Laboratories, Washington, D. C.

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- Ash Receivers
- Hansen Gloves
- Step Plates
- Tire Chains
- Radiator Ornaments

You can send a man a box of cigars, a necktie or even a postal card for Christmas and you have remembered him, but you fail to arouse that boyish enthusiasm in him. Even dignified business men can be made boys again at Christmas-time, if the gift is correct.

Give a man something useful around his car and you have touched the soft spot of his heart—you'll make him as happy as a youngster with his bicycle.

If you don't think this is true, try it this Christmas. Pick out something from the list herewith and call on us or phone for prices, delivery, etc.

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PASSWORD: Self-Assurance.
MEETING: Weekly.
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ATLANTIC BANK AND TRUST COMPANY

GREENSBORO BURLINGTON HIGH POINT

Capital \$1,200,000.00
Surplus \$500,000.00