

RIGHT-OF-WAY ISSUE COMES UP AT HEARING

Does Traffic on State Highway Take Precedence Over That On County Road?

Statesville, Oct. 2.—Does traffic on a state highway have the right of way over intersecting cross-country roads? This question was debated in Magistrate George Anderson's court yesterday in the case of State vs. J. W. Rankin, of Charlotte, charged with responsibility for the collision of his automobile with a Statesville-Newton bus on No. 10 highway, resulting in two lady passengers having to go to the hospital for treatment and both cars being badly wrecked.

Defense lawyers interpreted the law to mean that traffic on No. 10 would have right of way over the county road known as the Mountain road, over which young Rankin was driving, only on condition that a stop sign had been erected on the county road near the intersection with the state highway. The evidence showed that Mountain road had no such stop signs and the defense claimed that Rankin had the right of way over the bus.

The prosecution was represented by W. C. Feinsters, of Newton, and Solicitor James W. Sharpe, of the Iredell recorder's court; the defense lawyers were J. C. Newell, of Charlotte, and John G. Lewis, of Statesville.

The wreck of the Statesville-Newton bus and the Reo sedan, driven by Mr. Rankin, occurred September 15, at Kyles cross roads, about five miles from Statesville. Two Charlotte men were with young Rankin and they were going toward the Catawba river on a fishing trip. The bus was coming toward Statesville from Newton. The evidence presented by the state was that the Reo sedan was moving at a rapid rate of speed and the bus was moving slowly at the intersection when the crash came. The two passengers—Mrs. A. D. Abernethy, of Granite Falls, and Miss Vassie Black, sales lady in a Lenoir department store—were both taken to hospitals for treatment, the injuries of neither, however, proving serious.

The warrant charged young Rankin with assault with deadly weapon, speeding and driving recklessly. Squire Anderson ruled that he did not have jurisdiction in the case and he transferred it to the Iredell recorder's court, the date of trial being set for Monday, October 17. Mr. Rankin's bond was placed at \$500.

The preliminary hearing in the magistrate's court was ably contested, attorneys for both the prosecution and the defense making strong pleas.

Notice of Bond Sale

Sealed bids will be received by the board of commissioners of the Town of Mount Airy, North Carolina at Mount Airy, North Carolina until 12 o'clock noon, October 10, 1927 for the purchase of \$195,000.00 five (5 per cent) per cent Water bonds of said town in \$1,000 denomination dated October 1, 1927 payable:

- \$5,000 4 years from date of issue.
- \$5,000 5 years from date of issue.
- \$5,000 6 years from date of issue.
- \$5,000 7 years from date of issue.
- \$5,000 8 years from date of issue.
- \$5,000 9 years from date of issue.
- \$5,000 10 years from date of issue.
- \$5,000 11 years from date of issue.
- \$5,000 12 years from date of issue.
- \$10,000 13 years from date of issue.
- \$10,000 14 years from date of issue.
- \$10,000 15 years from date of issue.
- \$10,000 16 years from date of issue.
- \$10,000 17 years from date of issue.
- \$10,000 18 years from date of issue.
- \$10,000 19 years from date of issue.
- \$10,000 20 years from date of issue.
- \$10,000 21 years from date of issue.
- \$10,000 22 years from date of issue.
- \$10,000 23 years from date of issue.
- \$10,000 24 years from date of issue.
- \$10,000 25 years from date of issue.
- \$10,000 26 years from date of issue.
- \$10,000 27 years from date of issue.

both principal and interest payable at the Chase National Bank, New York, N. Y.

Bidders must present with their bids a certified check upon an incorporated bank or trust company payable to the order of the town or a sum of money for or in an amount equal to 3 per centum of the face amount of bonds bid for to secure the town against any loss resulting from the failure of the bidder to comply with the terms of his bid.

Bids should be addressed to F. M. Poore, Town Clerk, Mount Airy, North Carolina, and marked "Bid For Water Bonds." No bid for less than par and accrued interest can be accepted. Right is reserved to reject all bids.

F. M. POORE, Town Clerk.

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TWO OFFICERS DEAD, ANOTHER IN HOSPITAL

Three Gunmen, Being Taken to Police Station, Make Attack With Concealed Weapons.

Louisville, Oct. 2.—Two volunteer policemen were dead, and Detective Sergeant Lawrence Mialback was in city hospital here today with wounds received last night when three alleged gunmen being taken to the police station by the officers opened fire with weapons they had concealed when arrested.

Sergeant Mialback, wounded in the face, was able to write a description of the shooting late today for fellow officers.

According to his penciled story, his companions, John P. Killen, son of a police lieutenant, and Early Baumbach, a chauffeur, went with him to answer a call that three suspicious men had been seen in the residential section.

They found the three, Mialback said, and after searching them, started back to the station, with Baumbach driving the police car, Sergeant Mialback with him on the front seat, and Killen in the tonneau with the three prisoners.

"As we crossed Fifth avenue on Jefferson street, right in front of the county court house, the shooting started," Mialback wrote. "I do not know whether Baumbach or Killen was shot first. I turned at the first shot and the next hit me. That is all."

SENATOR SIMMONS OPPOSED TO SMITH

Senator Overman Says That North Carolina Would Vote for Smith if He Were Nominated.

Washington, Sept. 29.—A stir was caused in Democratic political circles here today by dispatches from North Carolina to the effect that Senator Simmons has come out in an interview declaring he is strongly opposed to the nomination of Governor Smith, of New York, for President, and that his nomination would bring political disaster to several southern states, including North Carolina. He holds the nomination of Governor Smith would precipitate one of the most unfortunate campaigns in the history of the country.

The significance of Senator Simmons' statement consists partly in the fact he is national committeeman and head of the Democratic organization in the state. He has been a supporter of McAdoo. Recently there has been talk that North Carolina might in the end vote to nominate Governor Smith. Senator Overman, who has been in Washington this week, though opposed to the nomination of Governor Smith, predicted North Carolina would vote for him if nominated.

As the situation is understood here, Senator Simmons, as head of the organization, has reached the point where he is under pressure to say something. In defining his position, Senator Simmons, it is said here, has not acted without sounding out the feelings of North Carolina Democrats.

A close friend of Senator Simmons said that a canvass of the state showed such strong anti-Smith feeling that the Democratic politician leaders however much they might desire it, could not give their support to Governor Smith. How far this would hold true if it became assured Governor Smith would be nominated is a matter of difference of opinion.

In any event, it is felt here the influence of Senator Simmons will be great in his own state, and in much of the south, should he make any real fight on Governor Smith. One view here is that he will not make such a fight, but will be content to set forth his views to his party.

Senator McKellar, of Tennessee, Democrat, declined to express his views on national politics today. He said he was himself a candidate for the Senate and did not desire to mix up in the Presidential contest.

Liquor Spills Out, Setting Auto Afire

Raleigh, Oct. 1.—Caught with 348 quarts of whiskey, when his car collided with another and caused the liquor to run into the exhaust pipe and set the machine on fire, a young man, giving his name as Albert Williamson, Atlantic City, N. J., today was arrested in Franklin and brought to Raleigh where he was lodged in jail.

Williamson, when questioned by police, said he secured the liquor in Savannah, Ga., at \$39.50 a case and was on his way to New York, where he expected to get \$80 per case.

STYLES IN OVERALLS
Chile likes American overalls, but prefers the two-piece and union suit styles to the trousers with bib and shoulder straps popular in this country. The United States supplies the demand for high-grade denim, while native products meet the greater demand for low-priced goods.



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