

This Is The Law

LIABILITY INSURANCE X Insurance Company on his automobile. The policy covers bodily injury and property damage.

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caused by accident and arising out of his ownership or use of the automobile. Jones, while negligently driving his automobile, injures Sam Smith. May Smith sue the X Insurance Company?

No. In North Carolina and most states Sam Smith has no rights whatsoever under the liability policy insuring John Jones. Smith cannot bring an action against the X Insurance Company for the injuries he has received as the result of the negligence or wrongful act of Jones.

The insurance policy is for the sole benefit of the insured, John Jones. The insurance company has merely obligated itself to "pay on behalf of the insured all sums (up to the maximum stipulated in the policy) which the insured shall be legally obligated to pay as damages because of bodily injury or property damages caused by accident and arising out of his ownership or use of the automobile." Such a contract is properly a contract of indemnity for money paid by the insured, rather than a contract protecting the insured from liability to the

injured person. Furthermore, there is many of these automobile liability insurance policies a clause expressly stipulating: "Nothing contained in this policy shall give any person or organization any right to join the company as a co-defendant in any action against the insured to determine the insured's liability."

In a number of states there are statutes that have changed the law from what it is in North Carolina.

Sam Smith's remedy in North Carolina, if he cannot get a satisfactory voluntary settlement from the X Insurance Company, is to sue John Jones. If he obtains a judgment against John Jones, the X Insurance Company will then satisfy the judgment up to an amount not in excess of the sum stipulated in the policy.

During the trial of the action Sam Smith brings against John Jones, may there be evidence introduced to the effect that the defendant has automobile liability insurance? No. The fact that the defendant

Crocker Rites Held Sunday

Funeral rites for Noah Crocker, Jr., 16, of Grover, were held Sunday at 3 p.m. from Clearview Baptist church, interment following in the Grover cemetery.

Young Crocker, son of Mr. and Mrs. Noah Crocker, drowned about 1:30 p.m. Friday in Norman's Lake, which is located just inside the South Carolina State line near Kings Mountain National Military Park.

Crocker's body was recovered about two hours later by Don Galloway of Grover and Frank

carries indemnity insurance cannot be shown at the trial. It cannot throw any light on the question of negligence or other circumstances of the accident. It is disconnected with the issue before the court and is as a consequence irrelevant and incompetent.

Pridmore of Kings Mountain, two members of the Shelby Skin Diving club.

Jerry Huffman, 20, of Montgomery, Ala., was with young Crocker when the tragedy occurred. Huffman was discharged from the U. S. Army in New York recently and had stopped at the home of his uncle, F. M. Huffman, route 1, Grover, for a visit.

Survivors beside the parents include five brothers, Arthur Crocker of Spartanburg, S. C., Sgt. Jesse Crocker of Fayetteville, Pvt. William Crocker of Fort Leonardwood Mo., Ray and Larry Crocker of Grover; three sisters, Miss Mary Anne Crocker and Mrs. James Goforth of Grover; and Mrs. Sarah Shook of Grover; the maternal grandfather H. C. Pinson of Blacksburg; the maternal great-grandmother, Mrs. Sarah Smith of Cowpens, S. C.

Witnesses Set Bible Assembly

Administrative appointment for the semi-annual regional Bible assembly of Jehovah's Witnesses were announced by Herbert Bucholtz, Circuit Supervisor and special representative of the Watchtower Bible and Tract Society. Herbert Elam of Gastonia has been named to the officiating staff for the seminar which is to be held at the Hendersonville High School in Hendersonville, June 5-7.

Mr. Bucholtz said that Mr. Elam will be Volunteer Service Director. It will be his duty to assign the delegates who willingly donate their time and energy to assist in the various convention departments. More than 100 volunteer workers will be used. The willingness and unity with which the witnesses work makes for an efficiently operating assembly.

According to Mr. Elam, the main purpose of the assembly is to equip dedicated men, women, and children with progressive knowledge and training for ministerial work which will help them to gain the approval of the Most High God and Creator, Jehovah. He also said that a secondary purpose is to call on Hendersonville residents and stimulate interest; in using the Bible as a source of instruction to help God-fearing men live Christian lives.

Assemblies like this are held by Jehovah's Witnesses semi-annually in almost all the 194 lands and islands in which they carry on their preaching work.

Ashley Rites Held Saturday

Funeral rites for Stewart E. Ashley, 71, were held Saturday at 3 p.m. from Pineville Presbyterian church, interment following in the church cemetery.

Mr. Ashley died at 2 p.m. at Kings Mountain hospital after a 10-day illness.

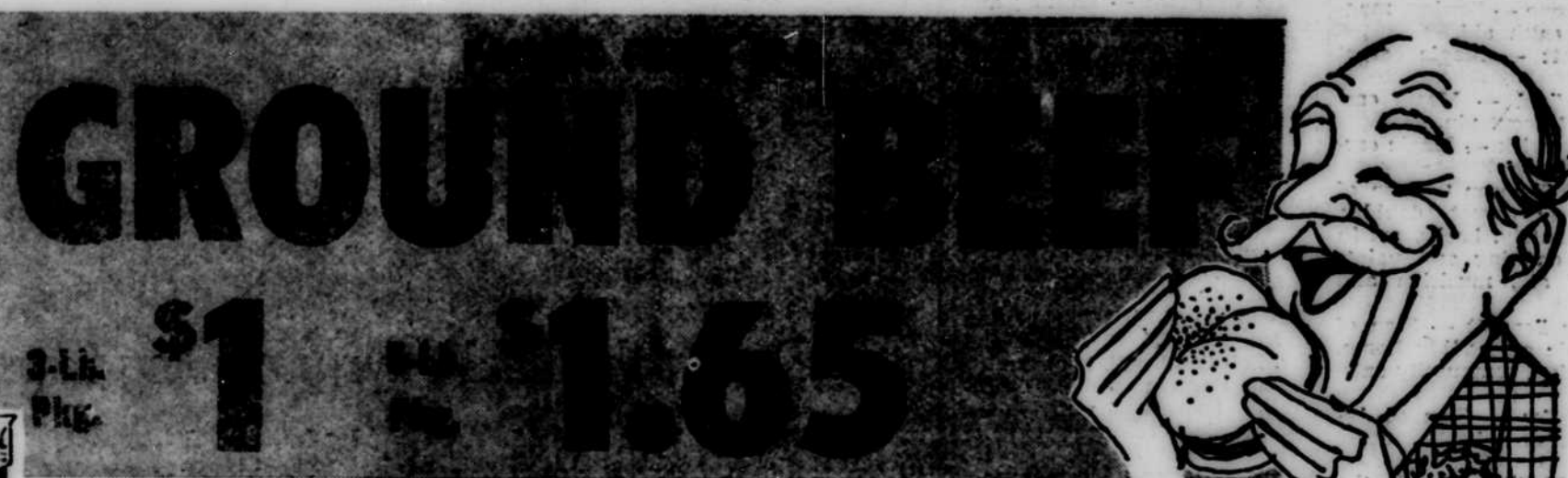
Surviving are three daughters, Mrs. Flora Skidmore and Mrs. Ruth Williams both of Charlotte, and Mrs. Hoyt C. Patton of Kings Mountain; four brothers, Doc Ashley of Chester, S. C., Dwight Ashley of Pineville, Crawford Ashley of Saluda, and Stokes Ashley of Tennessee; a sister, Mrs. Beulah Wolfe of Chester, S. C.; six grandchildren and seven great-grandchildren.

Rev. O. L. Gilmore officiated at the final rites.

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Telephone Talk
By **F. B. BOUCK**

Bicycle Safety — A Three Way Street —

Recently my eye was caught by a gleeful, six year old girl riding her new bike in her yard. She suddenly rode it out into the street — directly in the path of an oncoming car.

There was no accident due to the fact that the car's driver (a young lady) was wise to the unpredictability of young children and bicycles. She was traveling at a slow rate of speed (much slower than most people travel this particular street) and was able to bring her auto to a complete stop.

This near accident reaffirmed for me the fact that parents, children, and drivers must always remember that bike safety is a three way responsibility:

1. Parents must teach their children safe riding habits and then check to see that they are followed.
2. Drivers must always be on the alert and expect the unexpected, particularly when driving in residential neighborhoods.
3. Children must accept responsibility for learning and then following the bicycle safety rules.