

LEGAL ADVERTISEMENTS

NORTH CAROLINA—Cherokee County. In the Superior Court E. S. Guthrie, Plaintiff, vs. Hattie Guthrie, Defendant.

NOTICE OF SERVICE OF SUMMONS BY PUBLICATION: The defendant above named will take notice that an action has been instituted against her in the Superior Court of Cherokee County, N. C., and the purpose of the action is to dissolve the bonds of matrimony existing between plaintiff and defendant on statutory grounds.

That you are further notified that you are required to personally appear and answer or demur to the complaint of the plaintiff now on file in the office of the Clerk of the Superior Court of Cherokee County, N. C., by the 23rd day of May, 1923, or the Court will grant the relief demanded in the complaint.

This the 23rd day of April, 1923. E. E. DAVIS, Clerk of the Superior Court. (38-4t-pd)

NOTICE OF FORECLOSURE OF REAL ESTATE MORTGAGE

By virtue of the authority contained in a certain real estate mortgage made to the undersigned Ransom Barnett, Mortgagee, on the 10th day of July, 1923, by C. W. Whitley and wife, Hattie Whitley, to secure a note of even date for the sum of \$40.00 said note being due Aug 2nd, 1920, in which the following real estate was conveyed viz:

Said lots and land being in Murphy township, in Peachtree section, being lots Nos. 24, 25, 26 and 28, block No. 1, described as follows: Lot No. 24, beginning on a stake and runs S. 4-4 E. 39 feet to a stake then N. 85, 3-4 W. 120 feet to a stake; then N. 4-4 W. 30 feet to a stake; then S. 85, 3-4 E. 120 feet to the beginning. Lot No. 25 beginning on a stake runs 4-4 E. 30 feet to a stake; then N. 25, 3-4 W. 20 feet to a stake; then N. 4-4 W. 20 feet to a stake; then S. 85, 3-4 E. 120 feet to the beginning. Lot No. 26, beginning on a stake and runs S. 4-4 E. 25 feet to a stake; then N. 85, 3-4 E. 120 feet to the beginning. Lot No. 28, beginning on a stake and runs S. 4-4 E. 50 feet to a stake; then N. 85, 3-4 W. 150 feet to a stake; then N. 4-4 W. 50 feet to a stake; then S. 85, 3-4 E. 150 feet to the beginning. Said mortgage being registered Aug. 4, 1920, in Book No. 72 on page 499, in Book of Real Estate Mortgages in the office of the Register of Deeds of Cherokee County, N. C. Said note having past due and no part of same having been paid, the undersigned will sell the above described land at public sale for cash to the highest bidder at the court house in Murphy between twelve o'clock and 1 p. m. on the 21st day of May, 1923, to satisfy the said note and interest and costs of sale.

This 21st day of April, 1923. RANSOM BARNETT, Mortgagee. By J. H. McCALL, Atty. (38-4t-jhm)

NOTICE TO CREDITORS

NORTH CAROLINA—Clay County. In the Superior Court Clay County, Clay County Bank, G. H. Haigler, E. G. Allison, et. als. vs. Public Service Company.

Whereas, the undersigned, W. C. Smart, was duly appointed permanent receiver of the above named defendant, Public Service Company by His Honor Henry P. Lane, Judge presiding, at Chambers at Murphy, N. C., on the 30th day of January, 1923; and whereas, at April Term, 1923, Clay Superior Court an order was entered in this cause requiring notice to issue to all creditors on or before the 15th day of August, 1923.

Now, therefore, all creditors of said Public Service Company and all persons having claims against said defendant of any nature whatsoever, will take notice that they are required to present their claims to the undersigned receiver of said Public Service Company at his office in Hayesville, N. C., on or before the 15th day of August, 1923, and all such creditors or claimants will further take notice that unless they present their claims on or before said 15th day of August, 1923, that this notice will be pleaded in bar of their recovery.

This the 24th day of April, 1923. W. C. SMART, Receiver of Public Service Co. (38-6t)

NORTH CAROLINA—Cherokee County. In the Superior Court C. B. Hill vs. H. C. Ricks

NOTICE OF VENTIONI EXPONAS EXECUTION SALE

By virtue of a Venditioni Exponas Execution directed to the undersigned from the Superior Court of Cherokee County in the above entitled action, I will, on Monday, the 14th day of June, 1923, at 1 o'clock p. m., at the court house door of said county, sell to the highest bidder for cash to satisfy said Venditioni Exponas Execution.

All the right, title and interest of the said H. C. Ricks in and to a certain piece or parcel of land situate, lying and being in the county of Cherokee, State of North Carolina, and more particularly described as follows:

Beginning on a chestnut oak, the southeast corner of Section No. 126, and runs S. 4 W. with the line of No. 128, 200 poles to a stone, N. E. corner of No. 141, and S. E. corner of No. 128; thence with the line of No. 141, N. 86 W. 300 poles to a stone on the line of No. 107, and N. W. Corner of No. 141; thence with the line of No. 107, N. 4 E. 200 poles to a stone, the S. W. Corner of No. 126 on the line of No. 108; thence with the line of 126, S. 86 E. 300 poles to the beginning, containing 375 acres, more or less. Being the interest of H. C. Ricks in the land known as the Poorhouse Farm deeded to H. C. Ricks by Cherokee County, which was condemned and ordered to be sold to satisfy said judgment, which is recorded in Judgment Docket No. 17, page 284.

This May 1st, 1923. W. P. ODOM, Sheriff Cherokee County.

NOTICE OF SALE BY RECEIVER.

NORTH CAROLINA—Clay County. In the Superior Court Clay County, Clay County Bank, G. H. Haigler, E. G. Allison, et. als. against Public Service Company.

Under and by virtue of the authority of the undersigned receiver of Public Service Company conferred by order of His Honor, Henry P. Lane, Judge presiding, entered at April term, 1923, Clay Superior Court, in the above entitled case, I will on Monday, the 4th day of June 1923, at 12 o'clock M. at the Court house door in Hayesville, N. C., sell for cash to the highest bidder, subject to the confirmation of the court all the property, real estate and personal, franchises, rights, title, and interests whatsoever situate of said Public Service Company, a public utility corporation, including 30 years franchise on town of Hayesville, North Carolina, and rights of way for power and transmission lines, said property being more particularly described as follows:

Real Property.

FIRST TRACT: A certain tract or parcel of land in Clay County, North Carolina, adjoining the lands of Ernest Penland and others, on the waters of Shooting Creek, about six miles east of the town of Hayesville, BEGINNING on a small Red Oak on the south side of Shooting Creek, N. 69 W. 6 poles from the northwest corner of the Toffelmire and Penland Mill house and runs S. 40 E. 17 poles to a stake in the line of Penland Mill Property near an apple tree, E. D. Penland's corner; and runs N. 60—16 poles to a locust post; thence up mill pond with high water mark 33 poles to a forked sour wood; thence N. 1 E. crossing pond 73 poles to a stake; thence N. with the line of Homer Berrong land 60 poles to a stake; thence S. 84—16 poles to a hickory on the north side and near the top of the ridge; thence S. 84 poles to a black oak; thence S. 37 W. 47 poles to a hickory now a locust post; thence S. 52 W. 15 poles to the beginning, containing ten (10) acres, more or less.

SECOND TRACT: Adjoining the above lands, BEGINNING on a locust post on the bank of Shooting Creek Road, a corner of Penland Mill property, and runs up said road with its meanders to a stake on the bank of said road in the line of land Mill Property, and runs W. to the beginning, containing one-half (1/2) acre, more or less.

On the above described property is located the dam, pond, forebay, power house, dynamo generator, etc., hereinafter described.

THIRD: Rights of way from the power plant above described to the town of Hayesville, appropria-

ted to the April Term, 1923.

FOURTH TRACT: One town lot in the town of Hayesville, N. C. BEGINNING on a stake, the beginning corner of Lot No. 1, in Block No. 1, of the McClure Annex to the town of Hayesville, and runs S. 87 W. 273 feet to a stake on an alley; thence N. 64 1/2 E. 248 feet to a stake, thence S. 89 E. 93 feet to a stake, northwest corner of lot No. 1; thence S. 25 W. on line of lot No. 1, 100 feet to the beginning containing one-half acre, more or less.

On the above described lot is situated the three-story frame, composition roof, mill building, roller mill, and all milling equipment hereinafter described.

FIFTH TRACT: Lot No. 28 in block No. 2, in the W. H. McClure subdivision of the town of Hayesville.

Personal Property.

ELECTRICAL EQUIPMENT: Turbine wheel, Generators, Switch board Rheostat, Transformers, Lightning Arresters, Poles, Cross-arms, Bolts, Braces, Guy wires, approximately 28.5 miles copper wire, insulated and bare. All of above equipment complete in place, including six miles of transmission lines, and all electrical equipment for lighting public streets of Town of Hayesville.

Franchise: Thirty (30) years' franchise for lighting Town of Hayesville.

MILL PROPERTY: Four Stand Monarch Roller Mill, Monarch Sack er, Conveyor, Smelter, Separator, Brand Duster, Corn Crusher, Corn Sheller, two Corn Mill, Bins, Shakers, Reels, Shifters,esters, Scales, Trucks, Wrenches, Locomotors, and all necessary Line Shafts, Pulleys, and Belts. All Equipment now in place in mill building in town of Hayesville, in operation under power from above described plant.

Dated at Hayesville, N. C., April 26th, 1923. W. C. SMART, Receiver. (39-4t-wes)

NOTICE OF SALE UNDER DEED OF TRUST

By virtue of the power of sale contained in a certain Deed of Trust executed by the Gartrell Dry Goods Company, recorded in Cherokee County, in Book 76, page 208, conveying to me the lands hereinafter described to secure the payment of a certain note in said deed of trust set out, default having been made in the payment of said note and the power of sale contained in said deed of trust having become operative and the holder of said note having demanded foreclosure, I will for the purpose of satisfying said note, its interest and the costs of sale, sell at the Court House Door in Murphy, at public auction to the highest bidder for cash, at One o'clock, p. m., on Saturday the 19th day of May, 1923, the following described lands:

1. An undivided one-half interest in the following described tract or parcel of land situate, lying and being in the Town of Murphy, said County of Cherokee and State of North Carolina, adjoining the land of Mrs. John E. Fain and G. M. Blumenthal and fronting on the Southeast side of Valley River Avenue, it being lot No. 7, beginning on the Southeast side of Valley River Avenue, at Mrs. John E. Fain's present line, and runs thence about S. 40 E. with Mrs. John E. Fain's said line 100 feet to a stake on an Alley in the rear; thence about N. 50 E. along said Alley 24 feet and 2 inches to the G. M. Blumenthal lot No. 8; thence about N. 40 W. with the line of said Blumenthal, Lot No. 8, 100 feet to Valley River Avenue; thence about S. 50 W. with said Avenue 24 feet and 2 inches to the beginning.

2. Also the following described parcel of real estate which was the property of Matilda Blumenthal situated in the town of Murphy, being Lot No. 8, beginning on a stake 215 feet from the N. W. Corner of Lot No. 1 and the N. E. Corner of Lot No. 7, and runs S. 40 E. 100 feet to a stake, the S. E. Corner of lot No. 7; thence N. 50 E. 25 feet to a stake; thence N. 40 W. 100 feet to a stake on Valley River Avenue; thence N. 50 W. 25 feet to the beginning, being the lot and store building formerly occupied by W. Christopher and known as the Blumenthal store and property.

This 18th day of April, 1923. L. E. BAYLESS, Trustee.

SALE OF VALUABLE TIMBER LANDS

By virtue of a judgment of the superior court of Cherokee County,

entered at the April Term, 1923, in an action therein pending, entitled C. M. Wofford vs. Mary E. Dewesse, Administratrix de bonis non of D. W. Dewesse, deceased, and others, heirs at law of D. W. Dewesse, the undersigned will offer for sale at public outcry, at the court house door in Murphy, N. C. on Monday, June 4th, 1923, at 11 o'clock, a. m. the following described lands, to wit:

Entry No. 2304, Grant No. 9218 recorded in Deed Book X, page 344, except the lappage of Tracts Nos. 929, 2159, 4247, and 7792, net acreage 236 acres.

Entry No. 2124, Grant No. 11654 recorded in Deed Book 1, at page 225, net acreage 220 acres.

Entry No. 7792, Grant No. 9163, recorded in Deed Book X, page 345, net acreage 80 acres.

Entry No. 4397, Grant No. 13657 recorded in Deed Book No. 5, page 504, net acreage, 11 acres. Total net acreage timber lands amounting to 637 acres, as survey and platted by F. M. Lovingood, report of said survey being on file in the office of the Clerk of the Superior Court in the above entitled action.

Also one lot in East Murphy, adjoining lands of E. S. Miller, Norvel, Brittain and others known as the Bean L.M., containing one acre, more or less, the deed to which is recorded in Book No. 27, page 73.

Terms of sale cash upon confirmation by court, bidder to make deposit of ten per cent in cash on sale day, to secure compliance with bid. This May 3rd, 1923.

MARY E. DEWESSE, Administratrix de bonis non, D. W. Dewesse, Jecceced. (39-5t-dw)

NORTH CAROLINA—Cherokee County.

In the Superior Court W. D. Clonts, Plaintiff, vs. Gussie Clonts, Defendant.

NOTICE OF PUBLICATION

The defendant, Gussie Clonts, who take notice that an action as above was begun in the superior court of Cherokee County, North Carolina, before the Clerk of said court; that the purpose of said action is for absolute divorce on statutory grounds, in which plaintiff is seeking a decree to dissolve the bonds of matrimony now existing between plaintiff and defendant; that said summons was issued on the 21st day of April, 1923, returnable on the 3rd day of May, 1923, and said cause was duly continued on said 3rd day of May, 1923, by order of Court to the end that service of summons might be made by publication on said defendant in lieu of personal service, and let said defendant take notice that she is required to be and appear before the Clerk of the Superior Court of Cherokee County in his office in the court house in Murphy on the 5th day of June, 1923, and answer the complaint of the plaintiff which is now on file in the office of Clerk of the Superior Court of Cherokee County, and let said defendant take notice if she fails to appear and answer or demur to said complaint on the 5th day of June, 1923, judgment will be entered according to the prayer of the complaint.

Done at office in Murphy, North Carolina, this the 3d day of May, 1923.

E. E. DAVIS, Clerk Superior Court of Cherokee County, North Carolina. (39-4t-jdm)

BONDS FOR SALE.

The Highway Commission of Beavardam Township offer for sale Fifty Thousand Dollars of the Bonds of this Township, which are to be issued as of June 1, 1923, and run for thirty years.

Bids will be received up to the 1st day of June, for all or a portion of these bonds at 5, 5 1/4, and 6 per cent and interest will be paid semi-annually, and at such place as buyers may prefer.

Address all bids to Highway Commission, Beavardam Township, care John H. Dillard, Murphy, N. C. Buyers should find these securities attractive, as this Township has no outstanding obligations.

This May 7, 1923. HIGHWAY COMMISSION, Beavardam Township. (40-2t-wes)

EXECUTION SALE.

By virtue of an execution to me directed, issuing from the superior court of Cherokee County in the case of J. A. Fain vs. W. O. Patton commencing, that out of the property of the defendant I real estate valued at \$285.00 with interest, on January 1st, 1921 until

paid and the further sum of \$4.65 costs.

In order to satisfy the said judgment I shall on the third Monday in June, 1923, it being the 18th day of said month, sell at the court house door in Murphy, between the hours of 12 m. and 2 p. m. at public auction to the highest bidder, for cash the following lands and interests in lands heretofore owned by the said W. O. Patton and by him and his wife conveyed to T. J. Hill by deed dated September 13, 1922, and further conveyed by said Hill and wife to H. T. Patton by deed dated March 17, 1923, registered in Book 79, page 464.

An undivided one-ninth interest in the following lands in Beavardam Township, Cherokee County: State Grant 3266 in District 5 for 300 acres, tract 96, granted to Joshua Harshaw Jan. 18, 1870, registered in Book N pages 269 or 209; State Grant 1307, District 5, Tract 563, for 100 acres granted to Joshua Harshaw, November 10, 1892, registered in Book F, page 114; State Grant 10604, Entry 7795, dated January 13, 1891, granted to J. W. Patton for 260 acres, and the lands conveyed to J. W. Patton by Richard Mason and wife by deed dated August 11, 1896, registered September 23, 1903, in Book 10 (old number) page 115 and being part of tract 1718.

Also any and all other lands or interests therein in Beavardam Township owned by W. O. Patton and embraced in his deed to T. J. Hill, dated September 13, 1922, and registered in Book 72, page 256, and subsequently conveyed by T. J. Hill and wife to H. T. Patton, by deed, dated March 17, 1923, and registered in Book 79, page 464. Levied on May 7, 1923. W. P. ODOM, Sheriff. (40-4t-wpo)

Notla

Mrs. R. P. Hall and Mrs. Maud Martin were pleasant visitors at Mrs. Mary Hall last Monday.

Mrs. Cherry Crisp, of Persimmon Creek, gave her aunt, Mrs. Hills Hall, a pleasant call last week.

Mr. P. C. Hogged, of Murphy R. 3, and little son, were pleasant callers on Notla Sunday.

Mr. D. C. Haney is turning under a fine crop of yucca to be followed by corn.

Mr. A. C. Barton is going to Valley River; this week with his tractor to do some turning.

MISS PARKER HAD NO REST, SHE SAYS

Got So Work Was Almost Too Much For Her—Tanlac again Proves Merit

"The Tanlac treatment gets all the thanks for my splendid health, and I haven't the slightest doubt but what it is the best medicine made," declared Miss Sallie Parker, popular girl of Seecola Mills, Gastonia, N. C. "For a month, I suffered badly with stomach trouble and nervousness, and got so run down my work was almost too much for me. My appetite just about left me, and even the little I did manage to eat refused to stay on my stomach. At other times my food caused me misery from gas and pains, and I was dreadfully short of breath, I had headaches, too, and always felt tired and worn out, even after a night's sleep.

Right after I began taking Tanlac my appetite improved and my stomach trouble, nervousness and run-down condition have all disappeared now. I never felt better."

Tanlac is for sale by all good druggists. Take no substitutes. Over a million bottles sold.

Mrs. J. C. Hogged, of Birch, spent a few days with her mother, Mrs. Mary E. Hall, last week.

We farmers of this place are very busy this week planting corn.

Mr. M. I. Hall and King Barton are in high spirits this week.

Mr. C. L. Hall has gone to Sunburst, N. C., and reports good times there.

Several citizens of this place went to Murphy Monday on important business.

Mr. Carl Stiles got a briar in his finger and caused it to rise which gave him much pain.

Mrs. Callie Stiles visited Mrs. H. E. Hall last Tuesday.

Rev. Conley filled his regular appointment at Pleasant Grove Church Sunday. He delivered a good address to a large audience.

CROUP Spasmodic Croup is frequently relieved by one application of VICKS VAPORUB Over 17 Million Jars Used Yearly

FREE TO FARMERS When you become a subscriber to the Southern Agriculturist you are entitled to an almost unlimited service of information and advice absolutely without charge. Bring the problems of your home, your business or your community to us and they will receive sympathetic study of editors and specialists who through years of experience have become expert in their solution. Their advice is yours for asking. 400,000 farm families already take the "Giant of the South" If you do not, 50 cents a year or \$1.00 for three years will entitle you to this unpurchasable free service in addition to an unbeatable paper twice a month. SOUTHERN AGRICULTURIST, THE GIANT OF THE SOUTH Nashville Tennessee

Attention Planters We have just received a fresh supply of the famous V. C. Acid And Fertilizers Which is just the right kind for gardens, week patches, and farms SEE US BEFORE YOU BUY W. M. FAIN GROCERY CO., Inc. Office and Warehouse opposite L. & N. Station