

LEGAL ADVERTISING

NOTICE OF EXECUTION SALE
State of North Carolina,
County of Macon,
In the Superior Court
A. R. Higdon and R. M. Hudson,
Trading as the Franklin Hardware
Company,

W. S. Bearden.
By virtue of an execution directed
to the undersigned from the
Superior Court of Macon County
in the above entitled action, I will,
on Monday, the 19th day of August,
1935, the same being the first day of
the regular August term, 1935, Macon
County Superior Court, at 12 o'clock
noon, at the Court House door of
said County, sell to the highest
bidder for cash to satisfy said execution,
all the right, title and interest
which the said W. S. Bearden, the
defendant, had in the following
described lands and premises on
October 20, 1934, or at any time
thereafter, to-wit:

Lying and being in the corporate
limits of the Town of Franklin,
Macon County, North Carolina, on
the South side of State Highway
No. 28, Beginning at an iron stake
on the south side of Highway No.
28 in the West line of Johnston
lot, and runs S 70 W 125 feet to
a stake on the East side of Highway
No. 285; then S 15 E 285 feet to
a stake in the branch; then
down the branch with its meanders
S 74 E 85 feet to a stake, the
Southwest corner of Johnston lot;
then with the lines of said lot N
2 1/2 E 231 feet to a stake, a corner
of Johnston lot; then N 20 W 136
feet to the Beginning, and being
the same property described in a
deed from Maude Blaine et al to
W. S. Bearden dated 27 September,
1934, and recorded in Deed Book
W-4 page 560, Records of Macon
County, North Carolina, and on
which is now situated a gasoline
and oil filling service station buildings
and structures.

This the 18th day of July, 1935.
A. B. SLAGLE,
Sheriff of Macon County.
J25-4tc-JHS-A15

NOTICE OF SALE

North Carolina,
Macon County.
WHEREAS, power of sale was
vested in the undersigned Trustee
by Deed of Trust executed by C.
W. RUSSELL and wife, SINDA
RUSSELL dated September 18,
1931, and registered in the office
of the Register of Deeds for Macon
County, in Record of Mortgages
and Deeds of Trust, No. 31,
page 501; and default having been
made in the payment of the
indebtedness secured thereby:

I will, therefore, by virtue of the
power of sale in said deed of trust
in me vested, on Tuesday, the 20th
day of August, 1935, at 12:00 noon
sell at the Courthouse door in
Franklin, N. C., at public auction
to the highest bidder for cash the
following described property:

Situated in Cowee Township, Macon
County, State of North Carolina
and described as follows:

First Tract: Lying where the
Morrison School house stood, Beginning
on a Spanish oak; thence
West 17 rods; thence South 7 rods;
more or less; then East with
Raby's line 17 rods; then North 7
rods more or less to the Spanish
oak at the Beginning, containing
3/4 acre.

Second Tract: All the lands described
in a deed from R. F. Rogers
and Hattie Rogers to C. W.
Russell dated February 21, 1927, and
recorded in Book U-4, page 94,
Records of Macon County.

This the 20th day of July, 1935.
H. R. CABE, Trustee.
J25-4tp-A15

NOTICE OF SALE

North Carolina,
Macon County.
Whereas, power of sale was
vested in the undersigned mortgagee
by mortgage deed from J. E. Rice
and Mrs. Florence R. Thomson to
Nimmons-Adams Lumber Company,
Mortgagee, dated 6th day of June,
1928, and registered in the office
of Register of Deeds for Macon
County, in Book of Mortgages and
Deeds of Trust No. 31, page 73, to
secure the payment of certain
indebtedness in said Mortgage Deed
set forth; and whereas, default has
been made in the payment of the
sum secured by said mortgage
deed:

I will, therefore, by virtue of the
power of sale by said mortgage
deed in me vested, on Monday, the
5th day of August, 1935, at 12
o'clock, noon, at the Courthouse

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door in Franklin, North Carolina,
sell at public auction to the highest
bidder for cash, the following
described property:

Lying and being in the Town of
Highlands, State of North Carolina,
and being the same lands described
in a deed from W. E. Mosely and
D. E. Vinson to O. W. Dills, dated
the 6th day of November, 1917, and
being lot No. 229, on Main Street in
the Town of Highlands, North Carolina,
and being the same land described in
a deed recorded in Book A-4, page
298, Register of Deeds office, Macon
County, North Carolina; and in the
Deed of Trust from O. W. Dills to
J. F. Ray, Trustee, registered in
Book No. 22, page 545, Register of
Deeds office, Macon County, North
Carolina.

To all of which deed reference
is hereby given for a more definite
description; and the calls of which
is made a part and parcel of this
deed.

This 3rd day of July, 1935.
Nimmons-Adams Lumber Co.,
Mortgagee.
Jly11-4tc-J&J-A1

ADMINISTRATOR'S NOTICE

Having qualified as administrator
of Sam Cunningham, deceased, late
of Macon County, N. C., this is to
notify all persons having claims
against the estate of said deceased
on or before the 8th day of July,
1936, or this notice will be plead
in bar of their recovery. All persons
indebted to said estate will please
make immediate settlement. This
8th day of July, 1935.

ROY R. CUNNINGHAM,
Administrator.
J11-6tc-A15

EXECUTOR'S NOTICE

Having qualified as executor of
John L. Cabe, deceased, late of
Macon County, N. C., this is to
notify all persons having claims
against the estate of said deceased
to exhibit them to the undersigned
on or before the 11th day of July,
1936, or this notice will be plead
in bar of their recovery. All persons
indebted to said estate will please
make immediate settlement. This
11th day of July, 1935.

MELL CABE, Executor.
J11-6tp-A15

EXECUTOR'S NOTICE

Having qualified as executor of
W. A. Cunningham, deceased, late
of Macon County, N. C., this is to
notify all persons having claims
against the estate of said deceased
to exhibit them to the undersigned
on or before the 18th day of July,
1936, or this notice will be plead
in bar of their recovery. All persons
indebted to said estate will please
make immediate settlement. This
18th day of July, 1935.

J. W. Cunningham, Executor.
J18-6tp-A22

NOTICE OF ACTION BY PUBLI-
CATION OF SUMMONS. In the
District Court of the United States
of America for the Western District
of North Carolina Asheville
Division at Law No. 311, United
States of America, Petitioner, v.
2,922.72 acres of land in Cherokee,
Jackson and Macon Counties, North
Carolina. TO: B. W. Baker; R. Y.
McAden, Jr.; Mary Lacy McAden;
H. C. J. Pearson and wife; Oscar
Hickey; Lena Corn; M. Beavers
and wife; B. M. McCall; Chas.
West and wife; Mrs. J. W. Walker;
Ruth P. Walker; Mrs. R. L.
Monteith; Ab. Conley; Claude B.
Burgess; Mattie Burgess; Dollie
Owens McCall; Emory McCall; Arthur
Owens; Itta Owens; National
Bank of Grand Haven; Elizabeth
N. Dongle and husband; Ada A.
Durif; George M. Durif; Edna M.
Koelble; Alphonse G. Koelble; Macon
County Land Co. Martha J.
O'Connor; C. H. Rexford; Greta
Rexford; W. A. Rexford and wife;
Cora E. Snyder; Tioga County Sav-
ings & Trust Co; Lura L. Vaughn
and spouse; Whitewater River
Lumber Co; Goodyear Tire and
Rubber Co; U. S. Fidelity & Guar-
anty Co; the East Tennessee Nat'l
Bank; Mahota Horn Sutton; E. B.
Sutton; Tennessee-North Carolina
Power Co; G. N. Carland; Cassie
McCall Bryson; J. E. Coburn; Mrs.
D. S. Russell; Mrs. John H. Dil-
lard; Mrs. Frankie Maxwell; J. Z.
Rose and wife; Mrs. Maggie Angel;
M. E. Dobson; A. W. Donaldson;
A. N. Colvard; L. M. Hamby and
wife; Margaret Donaldson; Mrs.
Annie Allen Johnson; M. A. Hickey
and wife; L. M. Hickey; William
Kirkland; David S. Lenderman;
Mary T. McAdam; Virginia
George Meband McCrary; Dr. Bon-
ner Y. Mebane; Mary C. Mebane;
Nannie G. Neal; Bennie V. Stron-
ach; Virginia B. Swenson; Sallie
W. Wiggins and children; T. P.
Womack; W. Addington; Adeline

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Addington; Octavia Addington; B.
C. Garland and wife; G. M. Gar-
land; L. B. Garland; Dollie Owens
McCall; George M. Adams; Homer
C. Baldwin; R. B. Eskridge; Mary
George; Macon County Land Co;
John C. Mathews; Johnson McCall
and wife; R. P. McCall; Harvey L.
Perry; John Milton Unthank; Har-
vey P. Wyman; C. D. Blenton; C.
Brewster Chapman and wife; So-
phia E. Davis; W. A. Fowler and
wife; Z. T. Fowler and wife; S. T.
Graves; Henry Koons; E. H. Mc-
Crosley; Charles C. Miller and
wife; William O'Connor; William
F. O'Rourke; Charles H. Rexford;
J. H. Simmons; E. F. Watson and
wife; Albert B. Voorhis; Thomas
Voorhis; J. H. Watson and wife;
J. Moody; J. R. Lindsay; Bennie
V. McAden; C. T. McAden; Giles
M. McAden; James T. McAden;
Rufus Y. McAden; Joe Mosteller;
Nantahala Gorge Properties Inc;
Nantahala Power Co; John J. Phil-
lips; W. T. Whitaker; Ann L. Artz
and husband; John Artz and wife;
Mary J. Artz and husband; A. J.
Burns; Joseph H. Davis and wife;
W. M. McClure; Acquidius Nalt-
ner; S. C. Pierce Company; Frank
Waldo; Leonard Waldo; Mrs. Mar-
garet Wells; J. S. Dills and wife;
Catherine Holbrooks; James W.
Holland; Caswell L. Walker; R. N.
Archer and wife; Mary A. Bragg;
M. E. Cozad; N. S. Cozad; David
C. Lenderman; Officers and Stock-
holders of Lilly Lumber Co; J. C.
Colvard; F. M. Hamby and wife;
E. B. Olmstead; J. L. Rose and
wife; Ella Curtis; Jule Curtis;
George Williamson Curtis; Hannibal
Curtis; Jess Curtis; Johnathan
Bird Curtis; Robert Curtis; W. B.
Dobson and wife; Mrs. O. W. Don-
aldson; Mary Donaldson; Emily
Curtis Grahl; Anna Howard; Sallie
Keener; Ham Norris; James D.
Conley; Elizabeth Curtis Sanders;
Tim Sprinkles; Mary Curtis Wat-
kins; Homer C. Baldwin; N. A.
Conley; D. M. Conley; O. L. Con-
ley; T. J. Conley; W. A. Conley;
William C. Conley; Elizabeth Don-
aldson; William Garland; J. O.
Hanson; A. W. Horn; W. T. Con-
eley; Elizabeth Curtis; John Spen-
cer Curtis; Josiah Askew Curtis;
Lizzie Curtis; Moses Hightower
Curtis; Washington Lafayette Cur-
tis; J. W. Dobson; Sarah E. How-
ard; E. S. Johnson; Annie Curtis
Norris; W. M. Wright; William
McMillian; William H. Morrow;
Harold Taylor Jr.; A. L. Cabe;
Carolina Provision Co; Mrs. S. F.
McCall; Mrs. Hester Ferguson; J.
M. Keener & wife; Mrs. C. D.
Houston; Joseph Dick and wife;
Woodbury Mauney Lumber Co;
Nancey Conley; S. P. Ravenal and
wife; J. G. Janson; Ruth Conley;
Terry Bland Allwood; Dorothy Dav-
ison; Charlotte Thomas McAden;
and all persons whomsoever who
have, or claim to own, any estates
or interests in the fee or otherwise
in and to the premises described in
the petition filed in this cause and
described in this notice, and any
and all heirs and devisees of the
several parties above named, whose
names and addresses are unknown,
and all and singular their heirs,
husbands, wives, devisees, execu-
tors, administrators, representa-
tives, alienees, successors and as-
signs, of each and every of them;
and all unknown owners, lienors, or
claimants, having, or claiming to
have, any right, title, estate, equity,
interest or lien; and all occupants,
lessees, users, holders and owners
of and claimants to any rights or
easement or prescription in, over,
across, or through, said lands, or
any part thereof; YOU WILL
PLEASE TAKE NOTICE: That an
action entitled as above has been
commenced in the District Court of
the United States for the Western
District of North Carolina, at Ashe-
ville, N. C., that summons has been
duly issued out of said Court, and
petition filed therein asking for the
condemnation of certain lands de-
scribed in the said petition and
hereinafter described; that you, and
each of you, are necessary and
proper parties to the just and final
disposition of this action. That said
action has been instituted by the
United States for the Western Dis-
trict of North Carolina, on behalf
of the United States, for the condem-
nation of said lands described in
the petition in said proceeding,
said lands to be appropriated, con-
demned and taken, pursuant to the
provisions of the Act of Congress
of August 1, 1888, (25 Stat. 357, 40
U. S. C. A., 257, 258, and 258-a);
That the lands proposed to be
condemned and appropriated by the
plaintiff United States are describ-
ed substantially as follows: No. 1.
Claude B. Burgess Tract. All that
tract of land containing according
to survey 192 acres, designated by
the National Forest Service as
Tract No. 730, Cherokee Unit, Chero-
kee County, Beaverdam Township,
in District No. 5, adjoining the
lands of N. C. J. Pearson and
others, and more particularly de-
scribed in an option to convey to
the United States dated March 13,
1934, and in the petition filed here-
in. No. 2. S. J. Corn Tract. All
that tract of land containing ac-
cording to survey 49 acres, design-
ated by the National Forest Ser-

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vice as tract No. 1403, Nantahala
Unit, Macon County, North Caro-
lina, situate, lying and being on the
waters of Mud and Middle Creek,
in Flats Township, Macon County,
North Carolina, adjoining the lands
of Inez Smart, United States Na-
tional Forest and others, and more
particularly described in an option
to convey to the United States,
dated September 7, 1933, and in the
petition filed herein. No. 3. J. M.
Davis Tract. All that tract of land
containing according to survey 82.4
acres, designated by the National
Forest Service as Tract No. 529,
Cherokee Unit, Cherokee County,
North Carolina, situate, lying and
being on the waters of Hiwassee
River, in Beaverdam township, Dis-
trict No. 5, adjoining the lands of
Manual Beavers, and J. W. Rollen
and others, and more particularly
described in an option to convey to
the United States, dated October 19,
1933, and in the petition filed here-
in. No. 4. R. Y. McAden Estate
Tracts. All those tracts of land
containing according to survey
1007.7 acres, designated by the Na-
tional Forest Service as Tracts Nos.
238, 238-I, 238a-I, Nantahala and
Cherokee Units, Cherokee and Ma-
con Counties, North Carolina, sit-
uate, lying and being on the waters
of Valley River in Valley township,
adjoining the lands of Mrs. Emma
Watson, Mrs. Mamie A. Rogers,
Andrews Manufacturing Company,
J. T. Young, United States National
Forest, and others, and more
particularly described in an option
to convey to the United States, dated
May 30, 1934, and in the petition
filed herein. No. 5. Mrs. Dollie Mc-
Call Tract. All that tract of land
containing according to survey 35.52
acres, designated by the National
Forest Service as Tract No. 1070,
Nantahala Unit, Macon County,
North Carolina, situate, lying and
being on the waters of Clerk Creek,
adjoining the lands of T. M. Bry-
son, McCall Heirs, Neely and oth-
ers, and more particularly described
in an option to convey to the United
States dated April 19, 1932, and
in the petition filed herein. No. 6.
Herman McCall Tract. All that
tract of land containing according
to survey 52.8 acres, designated by
the National Forest Service as
Tract No. 185, Nantahala Unit,
Jackson County, North Carolina,
situate, lying and being on the
waters of Fowler Creek, in Cash-
iers township, adjoining the lands
of O'Conner Heirs, United States
National Forest and others, and
more particularly described in an
option to convey to the United
States dated May 4, 1934, and in
the petition filed herein. No. 7.
Merchants and Manufacturers Bank
Tracts. All those tracts of land
containing according to survey
1234.1 acres, designated by the Na-
tional Forest Service as Tract Nos.
148, 148-a, 148-I, 148-II, Nantahala
Unit, Cherokee County, North Caro-
lina, situate, lying and being on
the waters of Webbs Creek, Hol-
land Creek and Sweatheifer Creek,
adjoining the lands of N. & M.
Bank of Andrews, North Carolina,
Andrews Watershed, G. Walker
heirs, Doc McHalfey, Colvin Moody,
Jim Payne and others, and more
particularly described in an option
to convey to the United States
dated March 7, 1934, and in the
petition filed herein. No. 8. R.
L. Monteith Tract. All that tract
of land containing according to sur-
vey 50 acres, designated by the
National Forest Service as Tract
No. 1446, Nantahala Unit, Macon
County, North Carolina, situate,
lying and being on the waters of
Walnut creek, Sugar Fork Town-
ship, adjoining the lands of W. A.
Keener, Amos Mashburn, United
States Forest Service and others,
and more particularly described in
an option to convey to the United
States dated October 5, 1933, and
in the petition filed herein. No. 9.
D. L. Payne Tracts. All those tracts
of land containing according to sur-
vey 37.6 acres, designated by the
National Forest Service as Tract
No. 543, Cherokee Unit, Cherokee
County, North Carolina, situate,
lying and being on the waters of
Gibson Creek, Beaver Dam Town-
ship, adjoining the lands of Mary
Jane Payne, J. L. Keith and Len-
derman Heirs and others, and more
particularly described in an option
to convey to the United States,
dated December 14, 1933, and in
the petition filed herein. No. 10. J.
W. Rollan Tract. All that tract of
land containing according to survey
107.2 acres, designated by the Na-
tional Forest Service as Tract No.
528, Cherokee Unit, Cherokee Coun-
ty, North Carolina, situate, lying
and being on the waters of Hia-
wassee River, Beaverdam Town-
ship, adjoining the lands of Lester
Taylor, Tennessee-North Carolina
Power Company, M. Beavers, United
States Forest Service and others,
and more particularly described in
an option to convey to the United
States, dated December 14, 1933,
and in the petition filed herein. No.
11. W. C. Ledbetter Tracts. All
those tracts of land containing ac-
cording to survey 74.4 acres, design-
ated by the National Forest Ser-
vice as Tracts No. S-48, and No. S-
48-I, Nantahala Unit, Macon Coun-

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ty, North Carolina, situate, lying
and being on the waters of Evans
Creek, a tributary of Tennessee
Creek, about 2 1/2 miles North of
Otto, North Carolina, adjoining the
lands of W. S. Conley heirs, Nancy
Conley, Sam Picklesimer, G. N.
Cabe, United States National For-
est, and others, and more particu-
larly described in an option dated
March 20, 1934, and in the petition
filed herein. You and each of you
are hereby notified to be and ap-
pear at the office of the Clerk of
the United States District Court
for the Western District of North
Carolina, in the United States
Courthouse Building at Asheville,
Buncombe County, North Carolina,
not later than ten (10) days from
and after the completion of service
of this summons by publication for
four (4) successive weeks, and an-
swer or demur to the petition or
complaint herein filed by the above
named petitioners in the office of
the said Clerk, and you are fur-
ther notified that if you fail to ap-
pear and answer or demur to the
said petition or complaint within
the time specified, the petitioner
will apply to the Court for the re-
lief demanded in said petition. Wit-
ness, the Honorable E. Y. Webb,
Judge of the District Court for the
Western District of North Carolina,
this the 25 day of June, 1935. J. Y.
Jordan, Clerk, By: W. A. Lytle,
Deputy Clerk. Attested: J. Y. Jordan,
Clerk. By: W. A. Lytle, Deputy
Clerk.
Jly4-4tc-Jly25

FRANKLIN SHOE SHOP SAYS WE ARE STILL MENDING SHOES

When your soles twist
And your heels bruise
Get on the list
We'll mend your shoes.
FRANKLIN SHOE SHOP
Opposite Courthouse
"We Buy and Sell"
Box 212 Troy F. Horn

RHEUMATISM

RELIEVE PAIN IN 9 MINUTES
To relieve the torturing pain of Rheu-
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minutes, get the Doctor's Prescription
NURITO. Absolutely safe. No opiates, no
narcotics. Does the work quickly—and
must relieve your pain in nine minutes or
money back at Druggists. Don't suffer.
Use NURITO today.

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About the Weather

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Southern Railway
System

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and Southern Dining Cars are
now in service

Travel in Cool, Quiet, Delightful
Comfort, free from Dust, Smoke
and Cinders... A miracle de-
velopment of temperature con-
trol for the convenience of the
traveling public

Round Trip Tickets On Sale Daily

2 Cents per Mile—15 Day Limit
2 1/2 Cents per Mile—6 Months Limit
Tickets honored in sleeping and parlor
cars on payment of proper charges for
space occupied... no surcharge

One Way Coach Fare, 1 1/2c Per Mile

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Lv. Asheville 6:40 p. m
Ar. Cincinnati 8:10 a. m
Ar. Chicago 2:15 p. m
Lv. Asheville 5:00 p. m
Ar. Washington 6:50 a. m
Ar. New York 12:59 a. m

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and other travel information, call
or write:

R. H. DEBUTTS,
Asst. General Passenger Agent

SOUTHERN RAILWAY SYSTEM