

AMENDMENTS TO LAWS RELATIVE TO MORTGAGES

An Act to Facilitate the Examination of Titles and to Create a Presumption of Payment of Instruments Securing the Payment of Money After Fifteen Years From the Date of the Maturity of the Debts Secured Thereby.

The General Assembly of North Carolina do enact:

Section 1. That section two thousand five hundred and ninety four of the Consolidated Statutes of North Carolina be amended by adding a new subsection as follows:

5. That the conditions of every mortgage, deed of trust, or other instrument securing the payment of money shall be conclusively presumed to have been complied with or the debt secured thereby paid, as against creditors or purchasers for a valuable consideration from the trustee, mortgagor or grantor, from and after the expiration of fifteen years from the date when the conditions of such instrument by the terms thereof are due to have been complied with, or the maturity of the last installment or debt or interest secured thereby, unless the holder of the indebtedness secured by such instrument or party secured by any provision thereof shall file an affidavit with the Register of Deeds of the county where such instrument is registered, in which shall be specifically stated the amount of debt unpaid which is secured by said instrument, or in what respect any other condition thereof shall not have been complied with, whereupon the register of deeds shall record such affidavit and refer on the margin of the record of the instrument referred to therein the fact of the filing of such affidavit and a reference to the book and page where it is recorded. Or, in lieu of such affidavit, the holder may enter on the margin of the records any payments that have been made on the indebtedness secured by such instrument, and shall in such entry state the amount still due thereunder. This entry must be signed by the holder and witnessed by the Register of Deeds; provided however that the subsection shall not apply to any deed mortgage, deed of trust or other instrument made or given by any railroad company, or to any agreement of conditional sale, equipment, trust agreement, lease, chattel mortgage, or other instrument relating to the sale, purchase, lease of railroad equipment or rolling stock, or of other personal property.

Sec. 2. In case of foreclosure of any deed of trust or mortgage, the trustee or mortgagee shall enter upon the margin of the record thereof the fact of such foreclosure and the date when, and the person to whom a conveyance was made by reason thereof.

Sec. 3. It shall be the duty of any trustee or mortgagee making sale under the provisions of any power to file an account with the clerk of the Superior Court in the county where the land lies as is required by commissioners making sales for partition and for the auditing and recording of said account the clerk shall be allowed the same fees as are provided for auditing accounts of such commissioners.

Sec. 4. Upon ratification of this act the Secretary of State shall certify copies thereof to every register of deeds in the state, whose duty it shall be to post such copies in a conspicuous place in his office and cause the same to be published for one month in some newspaper in the county. The expense of such publication shall be borne by the county.

Sec. 5. This act shall be in force from and after January first, one thousand nine hundred and twenty-four.

Sec. 6. All laws and clauses of laws conflicting herewith are hereby repealed.

Enacted this 6th day of March, A. D. 1923.

19-25-41

NOTICE

By virtue of an order of the Superior Court made at the fall term 1923 of Watauga Superior Court appointing the undersigned a commissioner in that certain action entitled State of North Carolina vs. D. B. Hodges, T. C. Hodges and wife Dona Hodges, to sell the lands described in a certain mortgage deed executed to the State of North Carolina by T. C. Hodges and wife Dona Hodges on the 30th day of June 1922 for the sum of \$500 I will on Monday November 26, 1923 at the court house door of said county, at the hour of 1 o'clock p. m. sell to the highest bidder for cash, the following described real estate to wit:

Beginning on a sour wood, Sam Johnson's corner, and runs south with Johnson's line 61 1-2 poles to a chestnut, thence south 82 west 40 poles to a rock and maple pointers, thence North 71 poles to a rock in Will Hix line, thence east 40 poles to the beginning containing 16 acres and 70 rds. more or less.

This the 23 day of October 1923. A. W. SMITH Clerk Superior Court.

Uncommon Sense

AT CROSS ROADS

CROSS roads are dangerous places. In the Great war allied and German soldiers alike shunned all points where roads crossed. When a motor truck or an ambulance or an ambulance wagon neared such a point, the driver put on full speed and rushed past in the direction he had decided to follow.

There was no hesitating and wavering, backing and filling. This was because it was just about as dangerous to stand at a cross roads in the combat zone as it is to stand on a railroad track. If you stood long enough at the cross roads a shell would hit you. If you stood long enough on a railroad track a train would hit you.

The cross roads of life are just as dangerous as were the cross roads in Flanders and France.

When you come to a parting of the ways, make up your mind quickly which is the right way to go, and go.

Sooner or later you will come to a situation where you can save yourself a lot of trouble by departing from your usual rule of truthfulness and telling a lie.

That is a cross road.

If you linger at it, wondering which way to turn, vacillating between the two courses, the chances are greater that you will take the wrong road—the road of the lie.

Your first impulse will be to take the course of truth. You will know it is the right road. Don't stand at the cross roads. Go full speed down the route you know is the right one. Next time you come to a cross roads with the same signs displayed, it will be easier to keep right on going.

And if you select the road of truth you will come to fewer puzzling corners than you will on the road of lies. It will be much easier to stay on the right road than to get back to it. Sometimes it is impossible to get back.

The same thing will be true of every road parting which you encounter. To linger there will be dangerous. To wobble back and forth between the two routes will mean that you are liable to be engulfed in a disastrous chain of circumstances before you have made your move. It is just like the soldier who stands at the cross roads until a shell searches him out and its explosion destroys him.

The armies shelled all cross roads at frequent intervals because they knew that somebody was likely to be there, either because of congested traffic or because of indecision as to which way to go.

Chief among your enemies are your own weaknesses and habits. They will deliberately attack you while you are at the parting of the ways. Do not loiter there.

(© by John Blake)

Volcano Goes on Strike.

For the first time in history, perhaps, men are eager for a volcano to belch forth flame and gas. The volcano in question is one of the largest in the Hawaiian islands. The men who want to see it in action are scientists. They have traveled a long distance from overseas, but the volcano now refuses to perform. The scientists are bent on analyzing volcanic gases and the particular volcano has poured forth incandescent gases which they wish to observe, and have taken with them a spectroscopic in order that they may study the gases at long range. Obviously it is not practicable to bottle the hot gases and so study them in the laboratory.

"God's Help When Times Are Hard"

We studied last week about God's providence in human friendship and we learned how God helped David by sending Jonathan the ideal friend. This illustrates how God himself wants to be our friend at all times and study this time brings us to study the hardest times in our lives, times when only God can help. To all of us there has come such times. Human friendship may help some but only God can steady us and hold us fast. The ostrich may hide its head and hold its breath, but in the end and Christian science, delay, trouble, sorrow and death, but they are both foolish alike. The true Christian knows that trouble will come but that God will help. Let us study the deepest trouble that our Lord went through and see how he stood it. In the same way that God helped Christ Jesus God will help you and me. Jesus faces the hardest time in his life; possibly no experience through which Jesus went so touches us as his agony in Gethsemane. There the disciples slept while he prayed to the Father. He sweat great drops of blood so great was his agony as he bore the crushing, scorching pressure of the sin of the world. He was alone—none could help but God. It breaks our hearts to think of it and the poet Lanier tries to bring a little bit of relief to our feelings by fancying that at least the trees in the garden sympathized with him.

We are sure Jesus did not fear death. The only satisfactory explanation of the agony he suffered in the garden is that the full burden of his sacrifice upon the cross seems to have poured in upon his heart here in the garden. It was his first agony at the cross. He was to endure the next day upon the cross. We can account for his feelings only upon the same basis as we account for His cry upon the cross "My God My God why hast thou forsaken me?" He was in the sinner's place and felt that the father's face was turned away. It was evident that Gethsemane was to Jesus a personal experience. This is one time on record when Jesus thought and spoke of his own sufferings. Usually He was interested in his own disciples and the crowds that followed Him. Now He is intensely interested in Himself. He has come to the hardest trial of His life, the inevitable must be faced; things cannot be changed. His friends are nearby but asleep; anyhow they cannot help him now. Such times come to every one of us. Not

long ago the story is told of one stricken with tuberculosis wrote of his experiences in the sanitarium. He told of the pleasant fellowship of the day and the joy in nature with one sparkling sunshine round about them. Then he told of the time that came at night when he was alone in his room and the door was shut. There was nothing to keep his mind from the terrible certainty which he faced and he and God alone must reckon with the fears of his heart.

The worst had come to the worst. Such an experience is in some measure like the human aspects of Gethsemane, we may come to a similar situation through many causes. Perhaps, strange as it may seem, we may be brought into such a situation through sin. It may come through business failure or the weakness of others. However it may come it will be an experience when we will realize we are facing the inevitable thing and none but God can help.

HERMAN WILCOX.

TEACHING PATRIOTISM

Part of the business of the Youths Companion is cultivating a fine patriotism—the love of country, not wrong but right. The Youth's Companion started the movement for putting the flag on the school house, it formulated the pledge of allegiance to the flag that is repeated today in practically every school house in the United States. It has for a long time now been running a series of patriotic covers, picturing striking events in the nation's history. Painted by the best historical illustrators in the country they are reproduced in full color at frequent intervals in the Companion's cover. It is worth a year's subscription to the Companion to have these scenes in the building of our nation before our eyes. They help greatly in fixing the chronology of the events related in the school history.

The 32 issues of 1924 will be full of serial stories, short stories, editorials, poetry, facts and fun. Subscribe now and receive:

- 1. The Youth's Companion—52 issues in 1924.
2. All the remaining issues in 1923.
3. The Companion home calendar for 1924.
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THE YOUTH'S COMPANION, Commonwealth Ave. & St. Paul St. Boston, Mass.

(Adv.)

SERVICE

SATISFACTION

BENJAMIN FRANKLIN ONCE WROTE:

"Our press was frequently in want of the necessary quantity of letter; and there was no such trade as letter foundry in America. I had seen the practice of this art at the house of James in London, but had at that time paid it very little attention. I however contrived to fabricate a mold. I made use of such letters as we had for punches, founded new letters of lead in matrices of clay and thus supplied in a tolerable manner the wants that were most pressing."



Today the "necessary quantity of letter" valleys forth under the compositor's touch like bullets from a machine gun.

With the modern art, a job is never delayed for causes of which the pioneer so often spoke.

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NOTICE OF SALE UNDER DEED OF TRUST

Under and by virtue of the power of sale contained in a certain deed of trust executed by Coy Ragans and wife, Bebie Ragans, J. L. Ragans and wife, Hannah Ragans to Tilman Adams and wife, Vera Adams and W. F. Sherwood, Trustee, for said Tilman Adams and wife, Vera Adams on the 20th day of October 1920 to secure the payment of \$1500.00 with interest thereon at the rate of 6 per cent from the date of same until paid, and default having been made in the payments of the interest and principal of said notes secured by said trust deed, (the said notes subject to a credit of \$45.00 and \$10.00 fee) undersigned will sell at public auction to the highest bidder for cash at the court house door in Boone, North Carolina

on Monday December 10, 1923 between the hours of 10 a. m. and 2 p. m. the following described lands

Beginning on a chestnut tree on a ridge and runs north 5 1-2 poles to a chestnut oak, thence north 80 degrees east 8 1/2 poles to a cucumber on top of a ridge thence S 45 degrees E 15 poles to a small sugar tree in a hollow, thence E 12 poles to a stake on the road, thence S 89 poles crossing said road to a stake on top of a ridge on the south bank of the road, thence S 85 degrees W 3 poles along the ridge to a stake of the old saw mill setting, then S 102 degrees branch to 4 1/2 poles to a stake, thence N 80 degrees E 8 poles to a small larch, thence S 10 poles to a larch in David Adams' line thence S 77 degrees west 17 poles to a stake on the side of the road thence N 72 degrees W 19 poles to a stake, thence W 82 poles to a stake, thence N 3 degrees E 120 poles to a cucumber, J. S. Lewis corner, thence W to the beginning, containing 68 acres more or less. Adjoining the lands of Chas. L. Lewis and others, This Nov. 8th, 1923. W. F. SHERWOOD, Trustee.

NOTICE OF SALE OF LAND FOR TAXES

For the purpose of collecting the taxes for the years 1921 and 1922, I will on Monday December 3, 1923 at the hour of one o'clock p. m. at the court house door of Watauga County, sell to the highest bidder for cash the following described tracts of land:

- Heaver Dam Township
Blumer Dayton, for the years 1921 and 1922, 10 acres \$8.00
Johnson Lee, for the years 1921 and 1922, 10 acres \$8.00
May Albert, for the years 1921 and 1922, 24 acres \$19.95
A. C. Williams for the years 1921 & 1922, 83 acres \$65.82
May A. J. for the year 1922, 22 acres \$23.10
Center, Thos. N. for the year 1920, 1921, 1922, 32 acres \$57.10
North Fork Township
Devoe & Co. for 1919, 1920, 1921 and 1922, 90 acres \$68.85
Elk Knob Copper Co. for the years 1921, 1922, and 1923, 110 a. \$28.49
Kay A. Potter, for the years 1920, 1921, 75 acres \$51.15
South Elston, guardian for the yrs. of 1921-1922, 31 acres \$17.44
Gibson, C. S. for the years 1921 and 1922, 214 acres \$61.80
Sutherland A. J. for 1921-1922, 15 acres \$15.00
This the 3rd day of November, 1923. J. E. YOUNG, Sheriff.

AUCTION SALE OF STORE ACCOUNTS

On Saturday November 24, 1923 at 1 o'clock p. m. I will offer for sale for cash to the highest bidder the following accounts due R. D. Smith and Roy of Atlas.
John Baird \$1.25
Clyde Pate \$5.25
Coy Bingham \$3.87
Lloyd Campbell \$2.87
B. S. Dinger \$38.66
Chas. Combs \$17.21
Ray Campbell \$6.71
F. F. Fox \$21.41
Spencer Fletcher \$16.88
Tom Dick \$6.08
John P. Horton \$4.52
John Hicks \$11.19
James M. Horton \$12.87
Baby Hayes \$1.40
Smith James \$3.62
Clark James \$3.00
Arles Mast \$4.00
Ed Price \$16.40
Howard Pennell \$2.16
Julius Shearer \$1.09
Ray Shores \$3.50
Roy Whittington \$7.75
Clas Beard \$7.50
J. F. SMITH, Receiver.

NOTICE OF SALE UNDER MORTGAGE

Under and by virtue of the power of sale contained in two several mortgages, one executed by Mrs. Florence E. Norris and husband J. G. Norris, Jr. to Genzly G. Brown and D. J. Outter, dated Feb. 9th, 1922 and recorded in Book Z page 92, one executed by Florence E. and husband J. G. Norris, Jr. to J. W. McGee and W. Hardin Brown, dated Sept. 24th, 1922 and recorded in Book Z page 136, both in the office of the Register of Deeds of Watauga County, North Carolina. To secure the payment of certain notes mentioned and described in the mortgages, and said notes having been sold, and assigned to the undersigned for value and all the right, title, interest and estate of the above named mortgagors, having been transferred and conveyed to the undersigned, as will appear by reference to the registration of said assignments and transfers in Book 30 pages 100 and 109 in the office of the Register of Deeds for Watauga County, North Carolina, and default having been made in the payment of said indebtedness, secured by said mortgages, E. Z. A. Robertson, assignee, will on the 15th day of November 1923 at twelve o'clock p. m. at the court house door in Boone, North Carolina, offer for sale at public outcry to the highest bidder for cash the following described land and premises to satisfy said indebtedness, interest and cost and expenses of sale, to wit:

A parcel of land lying and being in the county of Watauga, State of North Carolina, Boone Township, and known and designated as follows: Being the same piece or parcel of land conveyed by J. G. Norris, Jr. by W. Hardin Brown and wife, bounded as follows: Beginning on a stone in the line of J. H. Hardin and running a northwest course with the public road 15 poles, 5 links to a stone at the forks of the road, thence south 8 degrees west about ten poles, to a stone on the bank of the Samson road, where the road forks to go to the New River Power Plant, thence south east with old Hardley Council line (New Dougherty line) with the fence and road to a big chestnut, the Hartley and Council corner, thence 18 poles and 10 links with H. J. Hardin's line to the beginning, containing 2 1-4 acres more or less.

Posted this 15th day of October 1923.

Z. A. ROBERTSON, Assignee.

VALVE-IN-HEAD Buick MOTOR CARS

FOURS AND SIXES F. M. RICHARDS W. H. GRAGG Banner Elk, N. Carolina Boone, - North Caro.

R. D. JENNINGS DENTIST Office at Blackburn Hotel BOONE N. CARO Patients from a distance would do well to write and have appointment arranged beforehand.