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THURSDAY, JANUARY 19, 1899.

BROTHER WATTS of the Mascot has our best bow for the kind terms THE HERALD under the new management. We omit to reproduce the words because of our blushes. It would be a great satisfaction to know we deserved them, as we do not, but the time may come when, with good work and steadfast application, we may venture | 26. to take a plebiscite on the subject. Meantime we thank the brother for a good lift in the way of encouragement.

Russell's Copious Message on the Rail road Commission Removals-Committee to Consider It. Special to the Gazette.

RALEIGH, Jan. 17.-The governor's message delivered to the house and senate to-day is really a reply to the request of the committees on the part of each branch, although the governor says he makes his report as required by the railway commission law. He sion is that the governor has made out a stronger case than was expected. Some members say he certainly has made a clear case against S. Otho Wilson. An Asheville man or men (one man I think) seems to be the principal character in the story, and he tells a right lively tale, the governor

The governor's message recites the law which provides that it shall be the duty of the governor to suspend any commissioner who perior Court districts, and posshall hold any railroad stock or bond or who shall have "any interest in any way in a railroad," or who shall become "disqualified to act," and says it is manifestly abolished. The western members the intent of the act to secure absolute independence of the commissioners of the railroads. The governor has personally underscored the words "any interest" and "any way," which he says mean that a commissioner shall "not enter into any contracts" with railroads; "that he shall not make money out of them, or seek to make it; indeed it amounts to a prohibition against his having any dealings with them except those which are open to the public such as buying tickets." Having laid down the law the governor says: "Applying these principles to the case at hand * * * I reached the conclusion that S. Otho Wilson should be sus pended." The causes assigned are that Otho leased the Round Knob hotel from Colonel A. B. Andrews vice president of the Southern, and Major James W. Wilson, another commissioner, nominally for his mother but really for himself; that he leased it with the understanding that the Sothern railroad would abandon its eating houses at Asheville and Hickory; that the railroad gave free transportation to Otho and his goods. These reasons far removing Major Wil son are that he "was mortgaged to Colonel Andrews" for \$6,000; that he was part owner of the Round Knob hotel, which was valueless unless used as a railway eating house. The governor then argues that these facts disqualify the Wil sons from properly performing their duties; that they would disqualify them from being jurors for or against the Southern. He says the fact that Major Wilson, when asked to show cause why he should not be suspended, sold his hotel interest, made no difference.

his evidence against the Wilsons Sampson. by voluntary information. Herefrains from furnishing names because the writers of the letters "might regard it as a breach of confidence," but he promises to give the names to an investigating committee. Then follow extracts from letters written by some per-

S. Otho Wilson thought he was proprietor of the Glen Rock hotel and proposed to sell the lease of the Round Knob hotel, which would then be closed to the great advantage of the Glen Rock, which was the dinner station before the leased Round Knob, promising that the writer would have the free use of the telegraph line, and supplies would be deadheaded by the conductors or baggage master.

THE LEGISLATURE.

Gov. Russell's report on the two Wilsons, Senator Hairston's bill to domesticate foreign corporations, Senator Low's against conspiracy among lawyers, Mr. Winston's bill to designate sites for the Nash and Davidson monuments voted by Congress, and also a bill to regu late the working of convicts and to establish county farms, the passage of Hoffman's bill perin which he is pleased to speak of mitting Morganton to vote for \$5,000, worth electric light bonds, a bill by Yarboro to repeal the \$10 tax on dealers in horses and mules, and the bill to give Hertford county white Democratic officials were the chief matters before the Legislature this week. The Hert ford bill passed the House 85 to

> The bill introduced by Mr. Rhinehardt, of Lincoln, providing for the payment of witnesses, amends section 739 of The Code so as to give officers and witnesses ful fees in all criminal actions whether there be an acquittal or conviction, even in cases where no true bill is found. The proposed bill further amends section 747. making it the duty of the county to pay witnesses of a defendant who is convicted and unable to pay the costs. The fees of all wit nesses are, however, reduced from \$1 to 75 cents a day.

The bill introduced by Mr evidently wants to show some in- Allen to amend chapter 38 of The dependence. The general impres- Code is really an act to take charge of the Atlantic and North Carolina Railroad. It takes out appointment of the board of internal improvements and gives it interest in all railroads it practically names the directors for

> It is learned, says a Raleigh correspondent, that there will certainly be an increase of two Susibly four. The prevalent idea is to abolish both the Eastern and Western Criminal Courts. It is safe to say that both these will be are leaving to the eastern ones matters relating to the preparation of election law bills, yet it is singular that only one (Winston's) has thus far been introduced.

> Legislature providing for separate railway coaches for the races; school money paid by the whites white children and that paid by negroes to be used for educating negro children; a new election law which will eliminate the col ored voter as a factor in politics and office holding.

The Newton Enterprise well says: This Legislature is to be specially commended for its resolution to elect no member of either house to any office and to appoint the son of no Senator or Representative a page. Former Democratic Legislatures were not altogether blameless on this line, and the Fusionists made a regular gambling pool of the offices and divided them out, such as directors of the various State institutions, judges, etc. among the members of the two houses.

The House passed a bill repealng the act allowing Buncombe to have an auditor, also a bill forbidding hunting on another's land in Buncombe without written-consent of the owner.

Mr. Leatherwood, of Swain, today introduced a bill to put Mitchell county back in the Eighth Congressional district.

The Speaker has made the following appointments on the committee for insane institutions-McNeill, Austin, Reeves, Fleming. Hoffman, Russell, Brown, of Johnson; Carraway, Davis, of Hyde; Ellen, Hendren, Williams, of Gra-The governor says he obtained ham; Hampton, Johnson, of

A Cold Trail.

Lexington Dispatch. Since the times when Nimrod the mighty hunter roamed the hills and dales in and about Nineveh no canine ever chased a colder or more hopeless trail than the son or persons who plainly live in one now followed by the Hon. S. Asheville, The writer says that Otho Wilson, of Gideonite fame, STATE NEWS.

Wm. H. Edmiston has been appointed postmaster at Blowing

A steam laundry will probably be numbered among Statesville's industries in the near future.

Rev. Isaac Oxford, a well known Baptist minister of Caldwell county, died Tuesday, aged 89 years. He was widely known as one of the pioneer preachers of this section and until recently had been

in vigorous health. Mr Walter Lenoir and family have been suffering a great deal with very deep colds for the past week but by the skill of Dr. Houck they are much better .- Topic.

Mrs. M. L. Cline, a most amiable lady of the purest Christian character, died in Hickory, Suuday afternoon, the 8th inst., and was laid to rest in Oakwood cemetery on the following day. The deceased was a devout member of the Lutheran church, a most char itable and useful member of society and will be greatly missed by many who have been the recipients of her kindness and deeds of benevolence.-Hickory Press.

Otho Wilson, removed from the railroad commission by Gov. Russell, but who still claims to be a member of the commission, has tendered his resignation to the Lieutenant Governor and the Speaker of the House. The question is, what did he have to resign? -Statesville Landmark.

Probably the largest deal in pork n this section was made last week between Mr. J. R. Combs, of this place, and Mr. S. S. Greenwood, of Roaring River. The latter traded the former over 12,000 pounds for some real estate in Roaring River, and the pork is now being delivered to Mr. Combs. Two wagon loads came up Wednesday .- N. Wilkesboro Hustler.

We learn by telegraph yesterof the hands of the Governor the day from Elizabethtown of the death of Col. Jno. A. McDowell, a distinguished citizen of Bladen to the Legislature, and this board | county and at one time one of the having charge of all the State's most prominent men in the State. He died this morning. A number of relatives of Col. McDowell live in this city. - Fayetteville Observer.

Fayetteville correspondence to Raleigh News and Observer: Eighteen months ago the Cumberland county dispensary began operation without a cent and without any aid or assistance from the county or town. The following is the financial showing: Net earnings for 18 months, since July 1, 1897, \$10,271,70. This has put 50 per cent. more money into the public treasury than the combined State, county and town licenses from the 12 saloons which existed Bills have been introduced in the | before the dispensary was established. The amount of drunkenness and crime have markedly decreased. The monies paid into to be applied only for educating the public treasury do not include \$2000 of profits shown in the net stock on hand.

> On the 8th of February the Atlantic Hotel, at Morehead City, will be sold to satisfy a \$13,000 mortagage. In 1881 it was built, at a cost of some \$28,000.

A special term of the Federal Court will be held in Asheville February 15th for the trial of the cases against the officers of the wrecked First National Bank of that town. Ex-Judge W. P. Bynum, Jr., of Greensboro, will assist in the prosecution.

The story of a New York paper that George Vanderbilt will give up Biltmore is a complete falsehood. He and his wife are extremely fond of the place.

The Democrats having gained control of the board of education of New Hanover county, all the negro school committeemen have been ousted.

COUCH SYRUP will cure I onsilitis and Bronchitis.

specific for incipient consumption. Doses small. Price 25 cts. at druggists.

An Antique Weapon. "You are an iceberg!" exclaimed her elderly but well preserved adorer, pale with anger and mortification. "A dozen Cupids, with a hundred arrows each could never find a vulnerable place in

your flinty heart!" "Not if they used an old beau to shoot with, Mr. Wellup," coldly replied the young and beautiful Miss Flyppe.— Chicago Tribune.

COUCH SYRUP Will cure Croup without fail.

HER NAME ATTHE TOP

S. BROOKLYN" WENT ABOVE

of Uncle Sam's Old Time Jack Tars That Thrilled the Hearts of a Whole Ship's Crev.

There was once another Brooklyn, the forerunner of the present armored cruiser, but the old Brooklyn, which, during the civil war, gained the name of the "Butcher Shop," had no resem-blance to the floating fortress that hurled destruction into the fleet of Ad-

The old ship bore a great spread of canvas and had but auxiliary steam power. Her lofty masts and creaking yards would seem singularly out of place today, but they served their purpose in their own time. Her open deck, with double row of muzzle loading, smoothbore guns, looked like a scene from a mediaval drama, and when she went to sea the flapping of the sails and the snap of the cordage were not an nuwelcome lullaby to those who slept beneath her cool white decks.

This old Brooklyn sailed one day from New York, bound upon a roving cruise and came In time to the Azores islands, whence she sailed for Lisbon and Gibraltar and, passing through the Mediterranean and the Suez canal, steamed slowly down the scorching Red sea. A stop at Aden for a day or two made her ready for a journey to the Persian gulf, but when the gulf of Ormaz was reached the skipper thought to take a look at Muscat, and so the course was shaped for the capital of the son of Abraham, whose forefathers for hundreds, nay, thousands, of years, had been sheiks of the desert.

In all her journey the good ship had entered not a part where the proud cross of St. George could not be seen from the staff of a British man-of-war, but here at Muscat it was thought that at least our flag would be the only token of western civilization in evidence. But it was not so, for, as the Brooklyn rounded a high promontory that shut in the little harbor, there, lying at anchor, was seen the English gunboat Sphinx with her milk white flag float-

Muscat had much that was strange and weird to interest the Americans, but neither the palace of the sultan, with its double wall, between the two parts of which are kept the tigers whose duty it is to guard the palace at night, nor the imperial barem's grim exterior, nor the gorgeous apparel of the sultan himself had half the attraction for the westerners that the grim, sheer face of the promontory that shuts in the harbor had; for there upon the bleak wall of this towering height were painted the names of many ships, and high above them all, in a place that seemed inaccessible, were the words, "H. M. S. Sphinx."

The men of the Brooklyn stared at that name day after day, until it seemed burned into their brains, and the spirit of emulation grew within them.

The night before the Brooklyn was to sail for Persian waters there were evidences of a secret movement among the crew, and after the night had fallen still and black a boat pulled off from the vessel's side, and with muffled oars made rapidly for the shore. It carried many things of various sorts, and among them a lantern, whose tiny glimmer those on the ships watched with bated breath as it reached the shore and slowly began the ascent of the promontory. Now it would disappear and then glitter again like a star of hope and comfort, and so it went slowly on, ever up and up the face of the outlined precipice.

The hours dragged slowly by, and it was far into the night when a tired boat's crew clambered slowly over the Brooklyn's side and dropped exhausted into their hammocks for a short sleep before the call of "all hands" in the

The Brooklyn sailed away just as th. sun began to show above the eastern borizon, and as she swung upon her course and stood for the waters of the open gulf a cheer burst from the throats of the whole ship's company. For there, in great letters of white that caught the warmth of the rising sun, far above the name of her majesty's ship Sphinx, far above the highest name of all, could be seen the legend "U. S. S. Brooklyn."

And there today, looking down upon the tiger guarded palace and the harem of the sultan, ever before the Arabs and the Beloochistanese of the tiny sultanate, still gleams the magic name that Schley and Cook once again made famous and that shall endure in history when Muscat itself shall be forgotten. -Washington Post

How a Frog Hibernates. According to Simon Henry Sage, the frog does not hibernate in leaves or the trunks of trees, but in a dry hole in the ground not likely to freeze. He scratches the hole with his hind feet and enters backward. Once inside, there is apparently no trace of the fact outside. Frogs found under frozen leaves are still able to move about. Mr. Sage has found hibernating frogs with their extremities and skin frozen, but their yital organs were still in mot and they recovered their activity on being liberated.—London Globe.

Mr. A. Ballard, B. A., L.L. B., sends as the following from Oxford: "Your tale of the Italian prelate reminds me of the negro student who at one of our great missionary colleges was conductng family prayers, and in an outburst enthusiasm prayed, 'Give us all pure bearts, give us all clean hearts, give us all sweet hearts,' to which all the congregation replied, 'Amen.'"-London Chronicle.

English farthings are no longer likely to be mistaken for half crowns, for now they are minted not only of a different size and design, but even of a different color, being a dull bronze.

French Humor. Madame (to her chambermaid)-Justine, the doorbell rang. "Is madame sure it wasn't

"Couldn't be-it is only quarter of "Yes, but madame knows the clock is fast!"-Echo de Paris.

The little Japs are about as free from the vice of drunkenness as any people in the world. In fact, it is the rarest thing in the world to see an inebriated subject of the mikado. The native drink, "saki," is used about as tea in The best remedy for whooping-cough. Doses small. Price 25 cts. at druggists. this country, and it is but little more intoxicating



is the best help you can use at this time. It is a liniment, and when regularly apalled several months before baby comes, t makes the advent easy and nearly painless. It relieves and prevents "morning sickness," relaxes the overstrained musples, relieves the distended feeling, shortens labor, makes recovery rapid and cermin without any dangerous after-effects. Mether's Friend is good for only one surpose, viz.: to relieve motherhood of danger and pain.

One deliar per bottle at all drug stores, or seat by express on receipt of price.

Pura Books, containing valuable information for women, will be sent to any address apon application to THE BRADPIELD REGULATOR CO.,

Atlanta, Ga.

Praise For the Bishop. The bishop of-never mind wherebeing a newcomer and somewhat troubled with a neglected diocese, thought

to inspire his clergy to take occasional services during the week by periodically visiting out of the way parishes and taking one himself.

On one of these occasions, having formed quite a good congregation and having been moved to much eloquence in his sermon, he felt a little not unnatural desire to know if he had made any impression on the usually unimpressionable yokels, and put some leading questions to the old clerk, who was helping him to unrobe in the vestry. "Well, I hope they've been pleased with yer," said the old man patronizingly, 'and I'm sure we tuk it werry kind o' yer worship to come down and preach us, but, yer knaw, a worsser one would ha' done for the likes o' we, if so be," he added with becoming humility, "one could ha' bin found."-Living Church.

Notice of Private Act.

Notice is hereby given that a bill will be introduced at the present session of the General Assembly of North Carolina to amend the charter of the town of Morgan-

Jan. 9th, 1899.

Notice of Incorporation.

Notice is hereby given that aplication will be made to the General Assembly of North Carolina, now in session, to incorporate the town of Hildebrand in Burke A. Y. SIGMON. This January 12th, 1899.

Sale of Valuable Town Property.

[READVERTISED.]

BY virtue of an order of the Superior Court for Burke county, in the case of the Eastern Building & Loan Association of Syracuse, N Y., vs. Alex. Wilson et al., we will offer for sale, on the prem-

February 6th, 1899, the same being the first Monday of the

month), between the hours of 12 m. and 3 p. m., all that tract or parcel of land situate, lying and being in the town of Morganton, Burke county, and State of North Carolina, on the north side of Green street, known as the "Burnt Square," directly fronting the court ouse, and consisting of the two lots purchased by James W. Wilson of J. W. and Emma M. Tate, 44 feet on Green street by 60 feet back; and the kt bought by Wilson of the Huffman heirs, fronting 36 feet and 7 inches on Green street and running 250 feet through to Water street in the rear, and adjoining on the north the lots of Walter Brem and on the south a lot of S. J. Ervin; for further description of which reference is asked to the deeds on file in the register's office in Book H, pages 483 and 484: Book Y, pages 320 and 321, and Book L, pages 52 and 53. Bidding to begin on lot No. 1 at \$93.50, on No. 2 at \$92.40, on the Huffman lot at \$231.

Also one other lot in the said town and county aforesaid, on Green street and fronting the W. N. C. railroad and the said Green street, being the lot purchased by James W. Wilson of Mrs. Sarah A. McDowell, on which formerly stood the furniture factory of Wilson & Avery, containing one-half acre; for a full description of which reference is asked to a deed registered in Book P, pages 545 and 546 of the register's office.

Also one other tract in the town, couny and state aforesaid, adjoining the above, and beginning at a stake in Green street, corner of the Sarah A. McDowell lot, on the south and running with Green street and the Hunting creek road to the ine of the front grounds of the State Hospital; thence with said Hospital line southwest to the macadamized pike leading to the depot of the W. N. C. R. R. thence with said pike, crossing in the center of the iron bridge over Hunting creek to a stake, southwest corner of the Sarah McDowell lot, to the beginning in Green street, containing by estimation 12 acrees. This is the lot deeded by S. McD. Tate and wife to James W. Wilson, on which is a flouring mill (not now in use) and seven tenement houses; from which is excepted five acres sold off, and also the Anderson Mission chapel and the land lying next the said chapel and on the south side of the branch, on which are other tenement house of the Dunavant Cotton Mills (now the Alpine), together with all and singular the buildings, streets, alleys, passageways, rights, liberties, improvements, etc. Terms: One half cash, in 3 months; note with approved security. This January 5th, 1899.

S. J. ERVIN, W. S. PEARSON,

Commissioners. N. B.-A plot of these lands, as they will be sold, can be seen at the office of S. J. Ervin. On lot No. 2 of this plot bidding will begin at \$160,60, on lot No. 3 at \$192.50, on lot No. 7 at \$143. Other | cash. lots will be sold as at first sale.

Lazarus Bros.

The second week of our Grand Clearing Sale will eclipse all former sales of fine goods at extraordinary low prices. We are determined to sell every article in our stock no matter what it cost. They must go, as the new spring goods will arrive shortly, and we must make room for them. This sale will be intensely interesting.

CLOTHING DEPARTMENT.

n's Suits; were 2.50. educed to\$1.25	Children's Suitts; were 75c. Reduced to
a's Suits; were \$5 & \$6.	Children's Suits; were \$1.50. Reduced to
n's Suits; were\$8 & \$9. deduced to6.85	Children's Suits; were \$2.5. Reduced to\$1
n's Suits; were \$10 & 12. Reduced to7.35	Children's Suits; were \$4. Reduced to
n's Suits; were \$15.	Children's Suits; were \$5. Reduced to3
deduced to11.75 y's Suits; were \$4.	Men's Overcoats; were \$4, Reduced to
leduced to2.50	Men's Overcoats; were \$5. Reduced to
y's Suits: were \$5. Reduced to3.75	Men's Overcoats; were \$6. and \$7. Reduced to
y's Suits; were \$6. Reduced to4.75	Men's Overcoats were
y's Suits; were \$9. Reduced to	Men's Pants at about

LAZARUS BROS

DAK

Finest Wines of Old Vintage and Standard Brands.

MEDICINAL WHISKIES,

Fitzhugh Lee Famous Among Which is the

Country Corn and Apple Jack of Careful Distillation and Appproved Strength.

Family Orders Given Careful Attenion

Ales, Beers and Other Malt Liquors in Steek.

J. H. McNEELY,

NORTH CAROLINA, SUPERIOR COURT, BURKE COUNTY, Fall Term, 1898. P. P. Tate and J. S. Tate, Adm'rs of S. McD. Tate, in Behalf of Themselves and All Other Creditors

The Burke County Pair Association

bearing, and it appearing that the same is a creditors action and that it is necessary that all creditors of the defendant The Burke County Fair Association should be made parties thereto in order that the rights equity, liens and priorities of all creditors of said defendant should be litigated and decided. It is on motion of S. J. Eryin, counsel for plaintiffs ordered that sublication be cided. It is on motion of 8. J. Eryin, counsel for plaintiffs, ordered that publication be made in 1 HE MORGANTON HERALD, a newspaper published in Morgantsn, once a week for six successive weeks notifying all creditors of said defendant of the institution of this action and of the object of the same and commanding them to come in and make themselves parties to this action and file their claims herein on or before the next term of the court, otherwise that they be barred of any participation in the assets of ALBERT T. COBLE.
Judge Presiding

Important Sale of Valuable Notes.

UNDER a decree of the Superior Court of Burke county in an action wherein the National Park Bank of New York is plaintiff and the Morganton Land and Improvement Company and others are defendants, I will

Monday, February the 6th, 1899. at half-past one o'clock post meridian, at the court house door in Morganton, N. C., ex-pose to public sale, for cash. the following notes under seal, or bonds, all of which were executed to the Morganton Land and Improvement Company by the makers, whose names are set out below, and are endorsed by the said M. L. & I. Co. and by M. P. Scaife, and all bear interest at 5 per cent, payable annually, and are secured by the terms of a bond for title given the makers for certain lands. All aredue January 1st, 1915 but if interest is not paid promptly all be

Long Jaques Henri, Barus Francois, Piene B. Micol, 336 42 154.37 Piene B. Micol,
Antoine Martinet,
Pons Jean Jacques,
Guigon Jean Tharma,
Guigon Jean,
Prochet Jean,
John Garron,
Daniel Mourglia
John J. Leger,
Micol P. Emmanuel,
Henry Long. 339 81 236.15 354.09 31.56 299.20 Henry Long, John and Marguerite Long, 321.05

\$3,473,46 These notes will be sold both separately and as a whole, and the sale will be reported as made to the highest hidder or hidders from whom the largest amount is realized.

January 2d, 1899.--t. d. s.

P. H. BUSBER,

Farm for Sale.

I will sell at a bargain an 100-acre farm, 44 miles east of Morganton on the Hickory road. Forty-five (45) acres in cultivation, the rest in timber; 18 acres sowed in wheat. Also stock and farm implements. Will sell the farm by itself or ments. Will sell the farm by itself or everything together for half-price. Terms cash.

FRANK TRILLET.

Jan. 5th, 1899.—3t-pd.

FRANK TRILLET.

Morganton, N. C., this January 6th, 1899.

P. W. PATTON, C. S. C.

Mortgage Sale.

BY virtue of a power of sale contained in a certain mortgage executed by Baird Avery and wife to A. H. Wilson and by said A. H. Wilson duly assigned to I. H. Hemphill, default having been made in the payment of the debt secured thereby, the undersigned will, on Monday, February 6th, 1899

(the same being the first Monday), sell for cash, to the highest bidder, at the court house door in the town of Morganton, N. C., a tract of land adjoining the lands of T. G. Walton and others. bounded as follows: Beginning on a gum on edge of road, Roxana Garrison's corner, and runs south 24 degrees west with said road twelve poles on the edge of same road in C. T. Smith's line; then north 33 degrees west with Smith's line 14 poles to a stone, Smith's corner; then north 87; degrees west with Smith's line 18 poles to a stone, T. G. Walton's corner; then 23 degrees east with Walton's line 22 poles to a stone in Lum Garrison's line; then south 30 degrees east with Garrison's line 18 poles to a stone, Garrison's corner; then north 62 degrees east with Garrison's line 6 poles to a locust stake, Roxana Garrison's corner; then south 41 degrees east il poles to the beginning, containing 3 acres. Reference is hereby made to said mortgage recorded in the office of the Register of Deeds of Burke county in Book C No. 2, page 146.
This 3d day of January, 1899.
A. H. WILSON, Mortgagee.

ISAAC HEMPHILL, Assignee. AVERY & ERVIN, Attorneys.

NORTH CAROLINA. BURKE COUNTY. SUPERIOR COUNT. Lindon P. Hillsinger, Plaintiff The King Gold Mining & Development Company, Irving C. Terry, A. G. Anthony, Ada M. Anthony and J. B.

Dewey, Defendants. I appearing by affidavit to the satisfac-tion of the court that an action entitled as above has been instituted in the Superior Court of Burke county, returnable to the next term of said court, said action concerning real estate and for the enforcement of a ing real extate and for the enforcement of a lien claimed by I la ntiff and to exclude defendants from any claim or interest therein, and it further appearing that Irving C. Terry and Ada M. Anthony are necessary and proper parties to said action and that they are non-residents of the State, and atterdue diffigence cannot be found within said State. It is now, on motion of S. J. Ervin, counsel for plaintiff, ordered that a notice be published in The Monganton Heralin. plaintiff, ordered that a notice be published in THE MORGARTON HERALD, a newspaper published in Morganton. N. C., once a work for six successive weeks, notifying the said Irving C. Terry and Ada M. Anthony of the institution of said action and the object of the same and commanding them to be and appear at the next term of the Superior Court for the county of Burke at the court house in Morganton, N. C., on Monday, the 20th day of March, 1899, and answer or demur to the plaintiff's complaint, otherwise