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The Morganton Herald.

Volume. XIV.—Number. 52. MORGANTON, N. C., THURSDAY, MARCH 16, 1899. $1.00 a Year, in Advance.

..BRING YOUR..
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HERALD OFFICE.
First-Class Work at Lowest Prices.

Sale of Valuable Lands.

BY virtue and in pursuance of a power of sale vested in the undersigned by a certain mortgage deed, dated the 26th day of October, 1896, executed by Thomas Downs and wife, to secure certain indebtedness therein fully described, which mortgage deed is recorded in book B, No. 2, of Register of Deeds office of Burke county, the undersigned will, on the 6th day of March, 1899, the same being the first Monday of the said month, at 12 o'clock M., before the court house door in the town of Morganton, to the highest bidder for cash, sell the hereinafter described land, conveyed in the said mortgage deed and more fully described as follows:

Lying and being in the County of Burke, and known as the Newberry Pruett land, adjoining the lands of John Q. Bradshaw, Elizabeth Smith, Rachael Smith and what was formerly known as the Lone Lail land, containing fifty acres. Reference to the said Newberry Pruett deed, as recorded in book H, Register of Deeds office of Burke county, will more fully appear.

The said sale made to satisfy the said indebtedness of the said Thomas Downs and wife to the undersigned, default having been made in the payment thereof.

This Feb. 1, 1899.

R. B. ALEXANDER, Mortgagee,
WILLIAM CROTTS, Assignee.
JOHN M. MULL, Attorney.

Sale of Town Lots.

ON Monday, March the 6th, 1899, the same being the first Monday, I will offer for sale at the Court House door in Morganton, N. C., the following unimproved lots in the town of Morganton, to wit:

Seven lots on Greene street in the J. H. Pearson block opposite the residences of Dr. Laxton and H. W. Connelly, being Nos. 1, 2, 3, 4, 7, 9 and 10, each 25x80 feet back to an alleyway in center of block.

Five lots between Green and Water streets below Herald building. Each 25x85 feet, back to J. L. Laxton's line.

TERMS: 20 per cent. cash; balance in six and twelve months with 6 per cent. interest bearing notes.

L. A. BRISTOL,
Receiver Piedmont Bank.

NORTH CAROLINA, } SUPERIOR COURT,
BURKE COUNTY. } Fall Term, 1898.

F. P. Tate and J. S. Tate, Adm'rs of S. McD. Tate, in Behalf of Themselves and All Other Creditors
vs.
The Burke County Fair Association and Others.

The above entitled action coming on for hearing, 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. Ervin, counsel for plaintiffs, ordered that publication be made in THE MORGANTON HERALD, a newspaper published in Morganton, 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 said defendant.

ALBERT T. COBLE,
Judge Presiding.

Sae of Valua be 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 premises, on

March 20th, 1899,

the same being the first day of the Court, 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 house, 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 lot bought by Wilson of the Huffman heirs, fronting 36 feet and 7 inches on Green street and running 230 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 $102.85, on No. 2 at $101.64, on the Huffman lot at $221. Terms: One-half cash, ½ 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.

Trustees' Sale.

UNDER and by virtue of a power of sale contained in a certain deed of trust executed by Wm. Michaux and Nellie Michaux to the undersigned trustees to secure the payment of the sum of $400 to the Life Insurance Company of Virginia within seven years from the 31st day of October 1891, and default having been made therein, the undersigned trustees will on

Monday March the 20th, 1899,

the same being the first day of the Spring term of Burke Supreme Court sell at public auction for cash on the premises in the town of Morganton a certain lot of land in the town of Morganton in the State of North Caroline adjoining the lands of James Mull and others bounded as follows to wit: Beginning on a stake on Chestnut street, Coffey's corner, and runs with Chestnut street South 88 degrees E. 15 feet; then South 49¼ degrees E. 90 feet to a stake on an alley; thence with the alley North 40¼ degrees E. 71 feet to a stake; thence North 2 degrees East 175 feet to a stake; thence South 88 degrees E. 55 feet to a stake; thence North 2 degrees East 100 feet to Mulls line; thence with Mulls line North 88 degrees West 200 feet to Coffeys line; thence with Coffey's line South 2 degrees West 275 feet to the Beginning. Containing one and five-one hundred and sixtieth acres more or less, as by reference to said deed of trust dated the 31st day of October 1891 and duly recorded in the office of the Register of Deeds of Burke county in Book T, page 327 will more fully appear.

This 15th day of February 1899.

J. I. T. AVERY, }
W. C. ERVIN, } Trustees.

Coke & Pickrell, Att'ys.

DROPSY CURED with vegetable Remedies. Have cured many thousand cases called hopeless. In ten days at least two-thirds of all symptoms removed. Testimonials and TEN DAYS treatment free. DR. H. H. GREEN'S SONS, Box K, Atlanta, Ga.

☞Mr. G. S. Ramseur is county agent for the sale of the Hancock disk plow and would be pleased to explain its workings and value to any one wishing an improved implement. t. f.

SOME IMPORTANT NEW LAWS,

ACTS OF THE LAST LEGISLATURE.

A Completion of Some of the Measures of Chief Importance, Including the Railway, Banking and Other Charters.

The following are the most important general laws of the Legislature of 1899. There are also given the railroad, banking and other charters:

GENERAL LAWS.

To make Labor Day (September 11th) a legal holiday.

The pension bill. The Soldiers Home ($10,000 regular and $5,000 special).

To establish the Eastern and Western Criminal Courts, ten counties in each.

To restore white county government (magistrates elected for the negro counties.)

The anti-trust bill—"for the punishment of pools, trusts and combinations."

To appropriate $100,000 to the public schools.

To compel vagrants to work on public roads.

To abolish the railroad commission.

To create the corporation commission.

To create the Bureau of Labor and Printing.

To issue $11,000 of bonds to pay penitentiary debt and $95,000 to buy farms.

To protect water supply.

To make it a misdemeaner to beat one's way on a train.

To regulate the time of drawing jurors.

To appropriate $50,000 to the penitentiary for each of the years 1899–1900.

To codify the laws relative to negotiable instruments.

To allow the penitentiary to hire able convicts to nine counties, Mecklenburg, Alamance, Rowan, etc.

The revenue act (taxes same as levied in 1897. Forty-three cents on property. $1.59 on the poll).

Making appropriations to State Hospitals, regular and special.

The machinery act.

To encourage the use of wide-tired vehicles by remitting half the road tax or labor.

To give the University water works, the Agricultural and Mechanical College at Raleigh sewerage, and the Normal and Industrial College at Greensboro a gymnasium and libary.

To validate deeds ane mortgages conveying land where a notary fails to attach seal to certificate.

To give power to tax and regulate telephone comdanies.

To repeal act giving dead bodies to medical school.

To regulate transfer of will contests to Superior Court.

To reduce price of Supreme Court reports to $1.50.

To give the United States title to a fish hatchery.

To regulate duties and powers of town constables.

To regulate sales in partition proceedings.

To repeal act of 1897 requiring oaths to be filed by officers of corporations.

To regulate service of process by sheriffs.

To incorporate the State's prison, abolish office of superintendant and put all power in hand of executive board, which alone can receive and disburse money, no matter whether the courts hold that the office of superintendent yet exist.

To authorize publication of sketches of North Carolina regiments in the civil war.

To provide that defendant in quo warranto proceeding shall hold office until the matter be determined.

To take from the Governor and give to the board of internal improvements appointment of State proxy and directors of Atlantic & North Carolina Railroad.

To repeal section 1,333 of the Code, relative to buying or selling pretended rights or titles.

To abolish State board of tax equalization.

To validate oaths made with uplifted hands.

To allow sheriffs to collect arrears of taxes.

To remove corner stones of new building for blind and deaf-mutes here (these stones bear the name of James H. Young, colored).

To amend the law regarding limited partnerships.

To remove the disabilities of married women regarding titles to land.

To provide that money appropriated for needy children shall be entrusted to their guardians.

To punish sale of adulterated or misbranded food (the pure food bill.

To provide for improving the public roads (the Holmes' road law).

To allow the chairman of the boards of education and county commissioners to administer oaths.

To require applicants for physicians' license to exhibit certificate of three years attendance at a reputable medical college.

To permit removal of trials from one county to another when affidavit is made that a fair and impartial trial cannot be secured in a certain county.

To allow townships to vote a levy of special taxes.

To provide a separate election law for counties, townships, cities and towns.

To revise and amend and consolidate the insanity laws.

To appropriate $16,000 for the State Guard, $250 to each company, with provision for encamp ment. No negroes to be enlisted as long as there are white troops.

To create the county of Scotland.

To amend the constitution as to suffrage. To be voted on in August, 1900.

The election law, providing August elections for State offieers.

To amend the law regarding probate of deeds and privy examination of married women.

To provide a short form of agricultural lien and crop mortgage and to provide for registering the same.

To amend the law regarding examination of witnesses before trial.

To increase the board of internal improvements and increase its powers.

To prevent foreign corporations from transfering cases from State to Federal courts, by requiring them to domesticate themselves.

To put the public printing in control of a committee and to make Edwards & Broughton and E. M. Ezzell public printers.

To give to the board of internal improvements the appointment of State agent and engineer of State swamp lands.

To provide for proving town ordinances on appeal from mayor's court.

To repeal the old shell fish law and enact a new one.

To allow certified copies of deeds of real estate in more than one county to be accepted as original when presented by corporations for registration.

To change time for making lease of turpentine orchards.

To protect boarding house keepers by giving them a lien on baggage.

To pay the oyster warrant claims against the State ($1,960).

Resolution: Declaring in favor of the election of United States Senator by the people. Asking Congress to pay depositors in the defunct Freedman's Savings Bank. Thanking Capt. Coghlan and the crew of the cruiser Raleigh. Authorizing the Worth Bagley statue to be placed in capitol squair. Appropriating $5,000 for the statue of Z. B Vance. For the appointment of 12 commissioners to represent North Carolina at the Paris Exposition.

APPROPRIATIONS.

The appropriations made are as follows:

Public schools, $100,000; State's prison, $50,000; Blind and Deaf Mute School at Raleigh, $67,000; Deaf Mute School at Morganton, $52,000; Central Hospital for the Insane, $67,000; Western Hospital, $100,000; Eastern Hospital, $45,000; Agricultural and Mechanical College, at Raleigh, $12,500; oyster claims, $1,983; Soldiers' Home, $15,000; State University, $32,500; State Normal and Industrial College, at Greensboro, $30,000; State Guard, $16,000; Vance monument, $5,000.

The expenses of the Legislature are estimated at $65,000.

Calendar of Burke Superior Court.

Parties and witnesses should note the following and find out on what days the cases in which they are interested will be called for trial. Witnesses need not come till the day fixed for the trial.

The criminal cases will be transferred to the docket of the criminal court. The times for holding the criminal courts will be fixed by Judge Stevens next week, and rules will be published.

MONDAY, MARCH 20TH.

Number. *Name.*

3. Thomas L. Gash
vs
Charles E. Wilson, et al.
4. John H. Pearson
vs
E. S. Walton.
6. John R. McCall
vs
J. H. Hallyburton.
8. W. W. Holloway
vs
Minnie Holloway.
10. Land & Improvement Co.
vs
Thomas M. Webb.
11. Laura Jones
vs
John M. Props.
85. Mary Abee
vs
Frank Abee.
59. Margaret Hedge
vs
James Hedge.
18. John Cline
vs
Jennie Cline.

TUESDAY, MARCH 21ST.

Piedmont Bank
vs
J. W. and Alex. Wilson.
9. Davis & Wiley Bank
vs
W. C. Ervin and I. T. Avery.
15. Miss Lou Bond
vs
J. W. Wilson.
16. Mrs. L. Adams
vs
J. W. Wilson.
32. Miss Lou Bond
vs
J. W. Wilson, J. W. Wilson, Jr

WEDNESDAY, MARCH 22ND.

26. Buff
vs
Buff.
29. Green Gaston
vs
Henrietta Gaston.
36. Miss Ida Mull
vs
E. S. and T. G. Walton.
37. O. F. Breesee & Son
vs
E. L. Cook.
35. S. J. Piercy
vs
J. A. Buff.
43. M. J. Keaton
vs
N. T. Keaton, John Setzer.
44. L. H. Corpening
vs
W. H. Kitchen.
45. L. H. Corpening
vs
Harry Skinner.

THURSDAY, MARCH 23RD.

17. N. J. Morrison
vs
William Morrison.
25. Alvy Smith
vs
Isaac Keller.
30. J. W. Wilson
vs
Laura M. Avery.

FRIDAY, MARCH 24TH.

44. William Page
vs
James Page.
34. J. W. Wilson
vs
O. N. and R. P. Foster.
50. M. W. Stamy
vs
James Stamy.
52. Ida W. Blake
vs
M. V. Blake.
53. Ruffner Bros.
vs
S. D. Dunavant, et al.
55. Cora May Fee Abernathy
vs
A. T. Abernathy.

SATURDAY, MARCH 25TH.

56. Henry Brinkley
vs
Southern Railway Co.
57. John T. Knox
vs
J. T. Perkins, assignee.
61. Atlantic Nat. Bank, et al.
vs
M. Silver, et al.
63. John Dale
vs
R. K. Presnell, et al.
64. Eliza Buff, et al.
vs
Amada Crow, et al,

MONDAY, MARCH 27TH.

67. W. H. Worth
vs
Thomas M. Webb, et al.
73. W. G. Turner
vs
R. V. Michaux, Adm'r.
75. L. A. Bristol, Receiver
vs
Town of Morganton.
76. Mabel Baker
vs
Walter Brem.

TUESDAY, MARCH 28TH.

31. J. A. Perry
vs
Western N. C. Railroad.
41. R. E. Patterson
vs
M. F. Scaife, et al.
78. J. M. Harbison
vs
Mrs. W. C. Henderson.

WEDNESDAY, MARCH 29TH.

85. J. M. Dale
vs
Southern Railway Co.
88. J. W. Cook
vs
Southern Railway Co.
90. William Powell
vs
Southern Railway Co.
89. Fannie Butler
vs
John Butler.

THURSDAY, MARCH 30TH.

81. L. A. Adams
vs
F. P. and J. S. Tate.
82. L. N. Bond
vs
F. P. and J. S. Tate.
86. W. H. Worth
vs
T. M. Webb, et al.

FRIDAY, MARCH 31TS.

91. Kate E. Walton
vs.
L. A. Bristol, Receiver, et. al.
94. F. P. and J. S. Tate
vs
Burke Co. Fair Association.
95. W. E. Buchanan
vs
Julia Buchanan.
97. J. G. Loven
vs
W. S. Hall, et al.
98. S. B. King
vs
John Gibbs.
102 In the matter of the Entry of F. S. Drury.

MOTION DOCKET.

1. J. N. Harshaw
vs
Phronia Corpening, et al.
2 S. N. Roderick
vs
L. A. Crawley.
12. In the matter of I. T. Avery, Receiver of the heirs of Philipson Carlton.
13. W. H. Morrison
vs
C. F. McKee.
19. W. F. Camp
vs
B. & L. Association.
20. W. F. Camp
vs
B. & L. Association.
21. Ora Woodling
vs
B. & L. Association.
22. In the matter of the Entry of R. A. Crawelly.
23. In the Matter of the Entry of Susan Hoyle.
24. W. S. Dodd
vs.
J. G. Neal.
28. Horace Kincaid
vs
James Pharr, et al.
33. B. & B. Asso'tion of Syracuse
vs
A. W. and J. W. Wilson.
35. General Electric Co.
vs
Electric Light & Power Co.
39. J. P. Hall
vs
J. A. Bufff.
40. W. H. Worth, Treasurer.
vs
The Piedmont Bank.
42. T. P. Mull
vs
A. L. Hudson.
47. Laura M. Avery
vs
Morganton L. & Imp. Co.
48. J. H. Dobson
vs
P. H. Dobson.
49. C. M. McDowell
vs
W. C. Maxwell.
54. R. Williams and Wife
vs
W. C. MaxWell, Trustee.
58. National Park Bank
vs
H. J. Dunavant & Co.
62. Atlanta Nat. Bank and L. A. Bristol, Receiver
vs
Herald Publishing Co.
65. John R. Martin
vs
S. V. Michaux, Admn.
69. L. M. Avery
vs
I. T. Avery, Executor.
70. National Park Bank
vs
W. H. Pearson, et al.
71. Natinal Park Bank
vs
Bessie P. Hunt, et al.
72. Natinal Park Bank
vs
W. H. Pearson.
74. John R. Martin
vs
R. V. Michaux
77. D. B. Mull, et al.,
vs
T. A. Baker.
79. In the matter of the Entry of F. B. Brittain.
80. J. B. Beach
vs
Elisha Holler.
87. J. B. Beach
vs
John H. Wilson, et al.
93. State ex rel A. S. Somers et al.
vs
W. N. Thomqson et al.
96. National Park Bank
vs
Herald Publishing Co.
99. In the matter of Kelly York.
100 In the matter of the Entry of W. T. Cook.
101 C. E. Whitney
vs
The Kihg Gold Mining and Developing Co.

Cases not called for trial on the day foa which they are set will be subseqnently called in their relative order on the calender. When the docket for any day seall be finished, the Court may sall the moiion docket, or hear motions nor docketed.

Human life is ruined through the absence of humble virtues and the presence of little faults. There is no man so great, no gift so brilliant, but let it be whispered that there is falseness in the life of the hero, and immediately his greatness is dwarfed, his eloquence becomes a trick, his authority is impaired. * * * It is the absence of little virtues and sweet domestic graces that seem trifling as the two mites that rob the Roman poets and orators of their power over us. * * * We yield homage only to the greatness that is also goodness. To the ten talent power the hero must also add tenderness to his own, kindness to the weak, unfailing sympathy to all. No giant is a full giant until he is also gentle, stooping to give his two mites to the weak, bearing the weary his cup of cold water, even emulating that hero, Sir Philip Sydney, wounded sorely indeed, but pushing away the canteen because the soldier, suffering great pain, had greater need.—*Hillis.*

The Legislature.

Charlotte Democrat.

The Legislature adjourned without passing a great many laws it was hoped would be passed, it aitered several beneficial laws so that they will be impeded in their operation, and it placed on the statute books a large number of private measures that might well have come under the general laws. In these particulars it was a disappointment.

But it passed the suffrage amendment to the Constitution, passed a new election law, passed a law providing separate cars for the races, and repealed the merchant' purchase tax and many obnoxious measures that the two previous Legislatures had put on the statute books.

A wise provision was adopted to meet again in June, 1900, so that any provisions of the laws that worked hardship might be repealed, and any needful amendments might be adopted.

On the whole the Legislature was success.

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WILBUR R. SMITH, LEXINGTON, KY

Mortgage Sale of Land.

BY virtue of the power of sale in a mortgage deed executed to me by Nathaniel Keaton and wife and registered in book No. 2, page 478, and default made in payment thereof, I will sell, for cash, to the highest bidder, on

Monday, March 27th, 1899,

at the court house door in Morganton, N. C., all that certain tract of land in Burke county, N. C., adjoining lands of Jackson Corpening et others; "beginning on a pine, Mabe's corner, and running West to a pine (now down) in a hollow and pointers; then South 140 poles to a post oak or stake, then East to the ridge road to a corner, a stake, then North with the ridge road to the beginning, containing 25 acres more or less.

This February 24th, 1899.

JNO. T. PERKINS, Mortgagee.

How's This!
We offer One Hundred Dollars reward for any case of Catarrh that cannot be cured by Hall's Catarrh Cure.
F. J. CHENEY, & CO., Toledo, Ohio.
We, the undersigned, have known F. J. Cheney for the last 15 years, and believe him perfectly Honorable in all business transactions and financially able to carry out any obligations made by their firm.
WEST & TRUAX, Wholesale Druggist, Toledo, Ohio.,
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Hall's Catarrh Cure is taken internally, acting directly upon the blood and mucous surfaces of the system. Testimonials sent free. Price 75c. per bottle. Sold by all druggist.

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TRY ALLEN'S FOOT-EASE,
A powder to be shaken into the shoes. At this season your feet feel swollen, nervous and damp. If you have smarting feet or tight shoes, try Allen's Foot-Ease. It warms the feet and makes walking easy. Cures swollen and sweating feet, blisters and callous spots. Relieves corns and bunions of all pain and is a certain cure for Chilblains and Frost bites. Try it today. Sold by all druggists and shoe stores for 25c. Trial package FREE. Address, Allen S. Olmsted, Le Roy, N. Y.

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Allen's Foot-Ease, a powder for the feet. It cures painful, swollen, smarting, nervous feet and instantly takes the sting out of corns and bunions. It's the greatest comfort discovery of the age. Allen's Foot-Ease makes tight or new shoes feel easy. It is a certain cure for Chilblains, sweating, callous, tired, aching feet. Try it today. Sold by all druggists and shoe stores, 25 cts. Trial package FREE. Address, Allen S. Olmsted, Le Roy, N. Y.

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WASHINGTON, D. C.