

LEGAL ADVERTISING

ADMINISTRATOR'S NOTICE

Having qualified as administrator of Fred West (colored), 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 February, 1938, or this notice will be plead in bar of their recovery. All persons indebted to said estate will please make immediate settlement.

This 12th day of February, 1937.
J. C. SORRELS,
Administrator

F18-6tp-M25

ADMINISTRATOR'S NOTICE

Having qualified as administrator of Jno. N. Arnold, 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 22nd day of January, 1938, or this notice will be plead in bar of their recovery. All persons indebted to said estate will please make immediate settlement.

This 22nd day of January, 1937.
LESTER L. ARNOLD,
Administrator

J28-6tp-M4

TRADE MARK

Notice is hereby given that Zickgraf Hardwood Company has adopted the following trade mark to be used in its business as lumber dealers, to-wit: Z

This, the 20th day of January, 1937.

ZICKGRAF HARDWOOD CO.
By W. C. Zickgraf, President.
ATTEST:
EDWIN L. DOUGLASS, Sec'y.
(Seal)

F11-4tc-M4

NOTICE OF ENTRY

State of North Carolina
Macon County
Entry No. 15016

Horace Justice enters and claims 100 acres land more or less on the waters of Tesenta Creek in Smith's Bridge Township, Macon County.

Bounded as follows: On the North by S. C. Conley lands, on the East by H. E. Justice and others, on the South and West by U. S. Government, runs with said lines so as to include all the vacant lands in said boundary.

Entered, February 9, 1937.
ALEX MOORE, E. T.
F11-4tp-M4

NOTICE

North Carolina,
Macon County.
In The Superior Court

John Love
vs.
Rose Love

The defendant, Rose Love, will take notice that an action entitled as above has been commenced in the Superior Court of Macon County, North Carolina, for divorce a vinculo matrimonii; and the said defendant will further take notice that she is required to appear at the office of the Clerk of the Superior Court of said county in the courthouse in Franklin, North Carolina, on the 13th day of April, 1937, and answer or demur to the complaint of the plaintiff.

This the 13th day of February, 1937.

HARLEY R. CABE,
Clerk of the Superior Court
Macon County, North Carolina
F18-4tc-GLH-M11

NOTICE OF SALE

North Carolina,
Macon County.

WHEREAS, the power of sale was vested in the undersigned Trustee by a Deed of Trust executed and delivered by J. J. Mann and wife to M. L. Dowdle, Trustee, on May 31, 1926, to secure the payment of certain indebtedness as set forth in said Deed of Trust, and which is recorded in Mortgage Book 29, at page 302, in the Office of the Register of Deeds for Macon County, North Carolina; and whereas, default has been made in the payment of said indebtedness secured by said Deed of Trust, and demand has been made upon the undersigned Trustee to exercise power of sale vested in him by said Deed of Trust:

I will, therefore, on Monday, March 8th, 1937, at the hour of Twelve Noon, at the courthouse door in Franklin, Macon County, North Carolina, sell at public auc-

LEGAL ADVERTISING

tion for cash the following described tract or parcel of property:

All the lands conveyed to J. J. Mann by C. D. Nichols, R. A. Nichols, J. T. Nichols and wife M. E. Nichols, by deed recorded at page 208 in Book N-4, in the office of the Register of Deeds for Macon County, excepting therefrom that portion of the aforesaid lands which are now owned by H. D. West; and also excepting therefrom that particular tract of 7½ acres conveyed by J. J. Mann to Eva V. Fleming and J. G. Fleming on June 5th, 1931, as described by deed recorded in Book U-4, at page 24, in the Office of the Register of Deeds for Macon County; and also excepting that portion of the lands sold by G. A. Jones, Commissioner, under a decree of foreclosure of a mortgage on said land held by the Federal Land Bank of Columbia, South Carolina, and conveyed by said Commissioner in deed recorded in Book A-5, page 301.

This February 5th, 1937.
M. L. DOWDLE, Trustee
F11-4tc-GLH-M4

NOTICE OF SALE OF LAND

WHEREAS, on the 16th day of March, 1934, E. M. Dills and Clyda Dills executed and delivered unto W. O. McGibony, Trustee for Land Bank Commissioner, a certain deed of trust which is recorded in the office of the Register of Deeds for Macon County, North Carolina, in Book 32 at Page 557; and

WHEREAS, default has been made in the payment of the indebtedness thereby secured as therein provided, and the trustee has been requested by the owner and holder thereof to exercise the power of sale therein contained:

NOW, THEREFORE, under and by virtue of the authority conferred by the said deed of trust the undersigned Trustee will on the 22nd day of March, 1937, at the court house door of Macon County, North Carolina, at twelve o'clock noon offer for sale to the highest bidder for cash, the following real estate:

All that certain tract of land containing Forty-five (45) acres, more or less, known as the I. A. Keener Place in Sugarfork Township, Macon County, North Carolina, located on the Peek's Creek road about 10 miles East from Franklin on the waters of Peek's Creek, and now in the possession of E. M. Dills; bounded on the North by the lands of Fred Dills and Gum Dills; on the East by the lands of Gum Holland and James Holland; on the South by the U. S. Government land, and on the West by the U. S. Government land. Said tract of land is particularly described according to a plat prepared by John H. Dalton, Surveyor, on the 16 day of February, 1934, as follows:

BEGINNING at a post designated as Government post S-D-17, Government corner, runs South 52 degrees .05 minutes East 50 poles to a mountain oak; then South 30 degrees 46 minutes West 14¼ poles to a chestnut; then South 15 degrees 38 minutes West 11½ poles to a chestnut; then South 34 degrees 27 minutes West 30½ poles to a post; then South 20 degrees East 82 poles to a black oak; then North 22 degrees East 10 poles to a black oak; then North 10 degrees West 42 poles to a hickory; then North 13 degrees East 18 poles to a stake at a spring; then North 46 degrees East 53 poles to a chestnut stump; then North 29 degrees West 10 poles to a stake on ridge; then North 29 degrees East 27 poles to a stake; then North 66 degrees West 7 poles to a chestnut; then North 34 degrees East 6 poles to a point in the branch; then North 8 degrees 15 minutes East 14 poles to a point in branch; then North 4 degrees 30 minutes East 6 poles to a point in branch; then South 77 degrees 30 minutes East 1¾ poles to a stone, replacing a hickory; then North 11 degrees 30 minutes East 21 poles to a stone; then North 47 degrees 15 minutes East 20¾ poles to a point in the ford of Peek's Creek; then South 53 degrees West 9¼ poles; then North 42 degrees 30 minutes West 4 poles to a dogwood; then South 40 degrees West 27 poles to a hemlock at Creek; then South 84 degrees West 12 poles to a point in Creek; then South 42 degrees West 8 poles to a point at Creek; then South 70 degrees West 8¾ poles to a point

LEGAL ADVERTISING

at Creek; then South 76 degrees 30 minutes West 31 poles to the beginning.

Copy of said plat is now on file with the Agent of the Land Bank Commissioner, Columbia, S. C.

This the 20th day of February, 1937.

W. O. MCGIBONY, Trustee
JONES & JONES,
Agent and Attorney for Trustee.
F25-4tc-J&J-M18

National Forest Timber for Sale

Sealed bids will be received by the Forest Supervisor, Franklin, N. C., up to and including April 5, 1937, for all the live hemlock timber marked or designated for cutting, and all merchantable dead hemlock timber located on an area embracing about 200 acres within South Branch Compartment of Whiteoak Creek watershed, Macon County, Nantahala National Forest, North Carolina, estimated to be 2,000 cords (160 cu. ft.) of hemlock pulpwood and 400 tons (2240 lbs.) of hemlock bark, more or less. No bid of less than \$1.00 per cord for hemlock pulpwood and \$1.40 per ton for hemlock bark will be considered. \$1000 must be deposited with each bid, to be applied on the purchase price, refunded, or retained as liquidated damages, according to conditions of the sale. The right to reject any and all bids reserved. Before bids are submitted, full information concerning the timber, the conditions of the sale, and the submission of bids should be obtained from the Forest Supervisor, Franklin, N. C.
2tc-M4-M18

National Forest Timber for Sale

Sealed bids will be received by the Forest Supervisor, Franklin, North Carolina, up to and including March 22, 1937, for all the merchantable chestnut poles marked or designated for cutting on an area embracing about 1,200 acres on Dewesse Prong of Burningtown Creek and Indian Camp Creek, Macon County, Nantahala National Forest, North Carolina, estimated to be 28, 25 foot poles; 84, 30 foot poles; 210, 35 foot poles; 770, 40 foot poles; 210, 45 foot poles; 56, 50 foot poles; 28, 55 foot poles; 14, 60 foot poles, more or less. No bid of less than \$0.25 per pole for 25 foot poles; \$0.30 for 30 foot poles; \$0.38 for 35 foot poles; \$0.50 for 40 foot poles; \$0.62 for 45 foot poles; \$0.80 for 50 foot poles; \$1.00 for 55 foot poles; \$1.25 for 60 foot poles, will be considered. \$100.00 must be deposited with each bid to be applied on the purchase price, refunded, or retained in part as liquidated damages, according to the condition of the sale. The right to reject any and all bids is reserved. Before bids are submitted, full information concerning the timber, the condition of the sale, and submission of bids should be obtained from the Forest Supervisor, Franklin North Carolina.
2tc-F18-M4

National Forest Timber for Sale

Sealed bids will be received by the Forest Supervisor, Franklin, North Carolina, up to and including March 22, 1937, for all the merchantable chestnut poles marked or designated for cutting on an area embracing about 1,000 acres on Pol Miller Creek and Ray Prong of Burningtown Creek, Macon County, Nantahala National Forest, North Carolina, estimated to be 20, 25 foot poles; 60, 30 foot poles; 150, 35 foot poles; 550, 40 foot poles; 150, 45 foot poles; 40, 50 foot poles; 20, 55 foot poles; 10, 60 foot poles, more or less. No bid of less than \$0.25 per pole for 25 foot poles; \$0.30 for 30 foot poles; \$0.38 for 35 foot poles; \$0.50 for 40 foot poles; \$0.62 for 45 foot poles; \$0.80 for 50 foot poles; \$1.00 for 55 foot poles; \$1.25 for 60 foot poles, will be considered. \$100.00 must be deposited with each bid to be applied on the purchase price, refunded, or retained in part as liquidated damages, according to the conditions of the sale. The right to reject any and all bids is reserved. Before bids are submitted, full information concerning the timber, the conditions of the sale, and submission of bids should be obtained from the For-

LEGAL ADVERTISING

est Supervisor, Franklin, N. C. 2tc-F18-M4

In the District Court of the United States of America for the Western District of North Carolina, Asheville Division: At Law No. 392 United States of America v. 633.20 acres of land in Clay and Macon Counties, North Carolina, N. N. Rogers, et al. Notice of Action by Publication of Summons. To: M. H. Alexander and wife; N. A. Fessenden and wife; Sallie Penland and husband; John Spivey and wife; Mary J. Melton; Richard Rowland and wife; L. C. Cabe; Rachel Cabe and husband; Mrs. W. L. McClure; Vinson Abernethy and wife; Eddie Carpenter and wife; N. W. Bell and wife; B. A. McGlamery and wife; M. H. Rogers and wife; W. C. Wakefield; Rufus Rowland and wife; J. L. Cabe; Julia Cabe; M. V. Abernethy and wife; Blackwell Bushnell Co; Carl Childers; R. J. Crawford and wife; O. E. Moses and wife; Callie Stewart; Von Toxixie and wife; Commissioner of Banks for the State of North Carolina; Liquidating Agent for the Central Bank & Trust Co; Henry S. Grantz; Z. P. Cabe and wife; E. F. Wilkinson and wife; John Carpenter and wife; Henry J. Parker; Virginia Henry and husband; Octa Miller and husband; Leli. Papaduplas and husband; F. W. Reuss and wife; May T. Byers and husband; Henry Camman and wife; Eleanor Louise Cozad; Jesse Kirby and wife; Amanda Patterson and husband; T. Spivey and wife; unknown creditors of the Estate of Henry Camman; Eliza Arrowood; Narcissus Lloyd; A. W. Spivey; B. S. Matlock and wife; J. C. Moore and wife; Hiram Rose and wife; Mrs. Henry Turnbull and husband; James D. Franks; Cagle Mining Co; Frank Dills; Bill Henry, his unknown creditors; Mrs. John H. Ledford and husband; Lavidia Stewart, unknown creditors; Jane Moss; Denny Brown; Clancey Caler Browning and husband; Claude Caler; Paul Caler and wife; Vance Caler; Maggie Caler Cathey and husband; Ida Patton Dowdle and husband; Prudence Caler Hall and husband; Maude Caler King and husband; E. Caler Martin and husband; C. L. Patton and wife; Harve Patton and wife; J. T. Patton and wife; Lou Patton; widow of Burgess Patton, deceased; Texie Caler Ramsey and husband; M. J. Shields and husband; R. Caler Trammel and husband; Pinkey Caler Wilson and husband; C. L. Ingram; Beulah Stewart; Charlie Tallent and wife; Bank of Andrews; Liquidating Agent of the Merchants & Manufacturers Bank; M. L. Rickman; J. F. Smith; Alburger Reid; Mrs. E. B. Cabe and husband; E. Wilton Wilkerson and wife; Mrs. Rose Cochran and husband; R. A. Henry and wife; Zeb V. Henry and wife; Emma Moses and husband; Federal Land Bank of Columbia; W. B. Anderson and wife; F. P. Calhoun and wife; Corundum Mining and Mfg. Co; Wiley Hogsd and wife; Nancy C. McClure and husband; Mark Rogers and wife; Wm. L. Spivey and wife; unknown creditors of the Estate of Jesse Kirby; Samuel Hogsd and wife; Polly Sherman; Walton Spivey; N. W. Moore and wife; Andrew Barnard; Turkey Knob Corundum Company; Garrett Franks and wife; Bertha Abernathy; Martha Cagdill; Bryon E. Hamlin and wife; C. C. Henry, his unknown creditors; R. F. Henry, Sr., his unknown creditors; Nellie Hamey; Will Moses; Beulah Stewart Watson; Danie Brown and husband; Robert Brown; Clarence Caler, single; Gladys Caler; R. Caler; Willie Caler; H. H. Dalrymple and husband; Tillie Caler Erwin and husband; Osie Patton Penland and husband; Neta Patton McLean; Martha Rickman Murray and husband; Flora Patton; Holt Patton and wife; Lillian Patton; Nancy Patton; Mamie Patton; Alice Rickman and husband; Hope Caler Spivey and husband; Flora Patton Vanhook and husband; Lucinda Addington; 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, executors, administrators, representatives, alienees, successors and assigns, 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 right 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 com-

LEGAL ADVERTISING

menced in the District Court of the United States for the Western District of North Carolina, at Asheville, N. C., that summons has been duly issued out of said Court, and petition filed therein asking for the condemnation of the lands described 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 Attorney for the purpose of the appropriation and condemnation by judicial process, for the public use and benefit of the United States of America, for the lands described in said petition, and herein below described, under and by virtue of the provisions of the Weeks Law, Act of Congress of March 1, 1911 (Chap. 186 (36 Stat. 961) Title 16, Sections 513, 521, 553, and 563 of U. S. C. A., and according to the method and procedure prescribed in the Act of Congress of August 1, 1888 (25 Statutes 357, (40 U. S. C. A., Sections 257, 258 and 258-a); that the lands proposed to be condemned and appropriated by the plaintiff United States are described substantially as follows: Tract No. 171b, apparent and presumptive owner being N. N. Rogers, containing according to survey 389.00 acres, situated in Clay County, N. C., on the waters of Fall, Higsed Cove, and Sassafras Branches, tributaries of Tallulah River, more particularly described by metes and bounds in Exhibit "A" and upon map or plat Exhibit "B" attached to the petition in this proceeding filed with the Clerk of the United States District Court at Asheville, N. C.; Tract No. 1290, apparent and presumptive owner being T. C. Moore, containing according to survey 71.10 acres, situated in Clay County, N. C., on the waters of Cold and Stamey Branches, tributaries of Tusquitee Creek, more particularly described by metes and bounds in Exhibits "A-1", and upon map or plat Exhibit "B-1", attached to the petition in this proceeding filed with the Clerk of the United States District Court at Asheville, N. C.; Tract No. 1129, apparent and presumptive owner being E. M. Fox, containing according to survey 58.20 acres, situated in Macon County, N. C., on the waters of Ellijay Creek, a tributary of the Cullasaja River, more particularly described by metes and bounds in Exhibit "A-2", and upon map or plat Exhibit "B-2", attached to the petition in this proceeding filed with the Clerk of the United States District Court at Asheville, N. C.; Tract No. 1182, apparent and presumptive owner being E. W. Wilkinson, containing according to survey 45.50 acres, situated in Macon County, N. C., on the waters of Middle Creek, a tributary of Tennessee River, more particularly described by metes and bounds in Exhibit "A-3", and upon map or plat Exhibit "B-3", attached to the petition in this proceeding filed with the Clerk of the United States District Court at Asheville, N. C.; Tract No. 1036a, apparent and presumptive owner being C. N. Jones, containing according to survey 38.90 acres, situated in Macon County, N. C., on the waters of Walnut Creek, a tributary of Cullasaja River, more particularly described by metes and bounds in Exhibit "A-4", and upon map or plat Exhibit "B-4", attached to the petition in this proceeding filed with the Clerk of the United States District Court at Asheville, N. C.; Tract No. 240a, apparent and presumptive owner being C. F. Moody, containing according to survey 30.50 acres, situated in Macon County, N. C., on the waters of Cowee Creek, a tributary of the Little Tennessee River, more particularly described by metes and bounds in Exhibit "A-5", and upon map or plat Exhibit "B-5", attached to the petition in this proceeding filed with the Clerk of the United States District Court at Asheville, N. C., you and each of you are hereby notified to be and appear 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, N. C., not later than ten (10) days from and after the completion of service of this summons by publication for four (4) successive weeks, and answer or demur to the petition or complaint herein filed by the above named petitioner in the office of the said Clerk, and you are further notified that if you fail to appear and answer or demur to the said petition or complaint within the time specified the petitioner will apply to the Court for the relief demanded in said petition. Witness the Honorable E. Y. Webb, Judge of the District Court for the Western District of North Carolina, this the 23rd day of February, 1937, and the year of our Independence the 161st. J. Y. Jordan, Clerk; By N. A. Lytle, Deputy Clerk.
4tc-M4-M25