

NOTICE.

North Carolina, In the Superior Madison County Court

Andrew Fiske and Mary Katherine Horsford, Surviving Trustees under the will of Eben N. Horsford; Andrew Fiske in his own right; Katie H. Gudger, Emmett C. Gudger, Katherine Langley, Wallace E. Rollins, Emma Rollins Tighe, Thomas S. Rollins, Carrie Rollins, Sevier, Katherine C. Rollins, Sadie M. Rollins, Myrtle Rollins Bell, W. J. Weaver and Jennie H. Gudger.

Petitioners.

VS.

Penelope A. Stover, John L. Elliot, Henry S. Elliot, William H. Brown and Mary Love Brown, his wife, Eliza Hart L' Engle, R. T. Meaney and Jennie Love Meaney his wife.

Defendants.

To the Defendants above named: You are hereby notified that a special proceeding, entitled as above, has been commenced in our Superior Court for Madison County, by the Petitioners above named against the Defendants above named, and that the purpose of said proceeding is to procure partition of real property situate in the Counties of Madison and Haywood, in the State of North Carolina. And you and each of you are hereby required to appear and answer or demur the Petition herein, before the Clerk of the above named Court, at the Court House at Marshall, North Carolina, on the Twenty-first Day of July, A. D. 1922, which is designated as the return-day of this notice. Herein fail not, or judgment by default will be entered against you.

Given under my hand, this the 13th day of June, A. D. 1922.

W. A. WEST,
Clerk of said Court.

North Carolina, In the Superior Madison County Court

Andrew Fiske and Mary Katherine Horsford, Surviving Trustees under the Will of Eben N. Horsford; Andrew Fiske in his own right; Katie H. Gudger, Emmett C. Gudger, Katherine Langley, Wallace E. Rollins, Emma Rollins Tighe, Thomas S. Rollins, Carrie Rollins Sevier, Katherine C. Rollins, Sadie M. Rollins, Myrtle Rollins Bell, W. J. Weaver and Jennie H. Gudger.

Petitioners.

VS.

Penelope A. Stover, John L. Elliot, Henry S. Elliot, William H. Brown and Mary Love Brown, his wife, Eliza Hart L' Engle, R. T. Meaney and Jennie Love Meaney his wife, and unknown Persons.

Defendants.

ORDER OF NOTICE TO UNKNOWN PERSONS.

It appearing to the satisfaction of the Court by affidavit duly filed herein that there are persons interested in the premises described in the petition which has been filed in the above-entitled proceeding, whose names are unknown to and cannot after due diligence be ascertained by the Petitioners;

IT IS ORDERED that all persons having or claiming any interest in the premises described in the Petition (the substance whereof is appended hereto) be and they are hereby required to appear and answer or demur to the Petition herein, before the Clerk of the above named Court, at the Court House at Marshall, N. C., on the Twenty-first Day of July, A. D. 1922.

It is further ORDERED that this order, together with the substance of the petition as appended hereto, be published once a week for four successive weeks in The News-Record, a newspaper published in Madison County, N. C., which is designated as most likely to give notice to said unknown persons.

DONE AND ORDERED, this the 13th day of June A. D. 1922.

W. A. WEST,
Clerk of said Court.

Andrew Fiske, et-al
Petitioners

VS.

Penelope A. Stover et-al, and Unknown Persons,
Defendants

SUBSTANCE OF THE PETITION

I
That petitioners and defendants are seized as tenants in common and are the owners of divers parcels, pieces and lots of land in the State of North Carolina and in the Counties of Madison and Haywood, all being parts of a large tract of land granted by the Stat of North Carolina to one Stockley Donelson, by patent dated August 28, 1795, and also lying within the boundaries of a tract of land described in a deed from John Love and wife Elizabeth Love to David Gelston and Lara L' Hommedieu, dated May 28, 1796, the description contained in said deed being as follows:

BEGINNING at six lynn trees growing out of one root, one of the trees marked I. F. M., at a spring which runs into Spring Creek, near Reynolds camp, called by some the Punccheon Camp, running thence east 80 chains to a chestnut, thence south 320 chains to a lynn and hickory, thence west 1760 chains to a sugar tree and hickory, thence north 290 chains, thence east 219 chains, thence north 170 chains, thence east 200 chains, thence south 110 chains, thence east 300 chains, thence north 110 chains, thence east 70 chains, thence south 45 degrees east 200 chains, thence east 437 chains and 16 links, thence south 140 chains to BEGINNING Containing 69,980 acres and 61 perches.

That the lands so owned by petitioners and defendants in Madison County are also embraced within the boundaries described in a deed from Solomon Brigman Esqr. High Sheriff of Madison County, to J. J. Gudger, dated July 18, 1862, and registered in the office of the Register of Deeds for Madison County, N. C., in Book C, page 59 at seq., which said description is as follows:

All that portion of a tract of land lying in the County of Madison and State of North Carolina, originally granted to Stockley Donelson supposed to contain ten thousand acres more or less, situate lying on the waters of Big Pine and Spring Creeks, bounded as follows:

BEGINNING on six lynn trees growing out of one root, at a spring running into Spring Creek near Reynolds camp, by some called the Punccheon Camp, and runs east 320 poles to a chestnut, then south 1280 poles to a lynn in the Lynn Cove, thence west 2880 poles crossing Big Pine and both Spring Creeks, to a buckeye on the top of the main mountain and on the Haywood County line, then North 24 degrees West, along the main dividing mountain and with the Madison and Haywood County line, 550 poles to a stake on the line of the State of Tennessee; thence north 32 degrees east, and with the line of the State of Tennessee and North Carolina, and along the top of the main mountain, 1600 poles to a stake on the top of the Big Bluff Mountain; thence north 15 degrees west along the dividing mountain, and with the line of the State of Tennessee and North Carolina, 400 poles to a stake on the CathCart and Steadman line, thence east 1900 poles to a stake on the Mountain Island Branch of French Broad River, and about 1 mile southwest of the Mountain Island on the French Broad River above the Warm Springs, thence South 960 poles to the BEGINNING. It being that part of the tract of land originally granted to Stockley Donelson for sixty thousand and four hundred acres that lies in the County of Madison and State of North Carolina.

II.

That the several Petitioners are seized, in the aggregate, of an undivided eighty-five one-hundredths, or 85% interest in the said lands, and that same may be enforced by sale if necessary,

(whose names are set forth in the order to which this is appended) together with divers and sundry other persons whose names are unknown to, and cannot, after due diligence, be ascertained by petitioners, are seized of and the owners of the remaining undivided fifteen one-hundredths or 15% interest in said lands.

III

That although the several tracts parcels or pieces of land of which petitioners and defendants are so seized and possessed do not embrace the entire tract or tracts of land described in Sub-division No. I, yet all of said several tracts, parcels or pieces lie within the boundaries of the tract first described, Viz: the boundary described in the deed from Love to Gelston and L' Hommedieu; and that all the several tracts, parcels and pieces aforesaid lying in Madison County are embraced within the second description in said Sub-division I contained; Viz: the boundary described in the deed from Brigman, Sheriff, to J. J. Gudger; while the lands in Haywood County are embraced within the first description, but not within the second.

IV

That Petitioners do not know, and cannot without great delay, expense and inconvenience, determine the exact boundaries and descriptions of all the several tracts, parcels and pieces of land so owned by petitioners and defendants as aforesaid, but that said lands have heretofore been the subject of litigation between the parties hereto, in a suit in equity in the United States District (or Circuit) Court for the Western District of North Carolina, which said Court, by a decree entered at the Fall Term, 1895, determined that said lands were owned by the parties to said suit in the following portions; to-wit: Eben N. Horsford an undivided one-half interest, J. M. Gudger an undivided one-eighth interest, H. A. Gudger, Eliza J. Rollins, J. M. Gudger Jr., and Willie J. Weaver an undivided one-eighth interest, and Penelope A. Stover, John L. Elliot, Henry S. Elliot, Wm. H. Brown and Mary Love Brown his wife, Eliza Hart L' Engle, R. T. Meaney and Jennie Love Meaney his wife an undivided one-fourth interest; and that by various devises, decents and assignments the interests in said lands are now as set forth in Paragraph II hereof.

V

That Petitioners desire to have the said premises in both the County of Madison and the County of Haywood partitioned under the orders and decrees of the Court, so that they may hold their respective shares in severalty, or that a sale thereof may be made and the proceeds distributed.

VI

That the defendants for many years have failed to pay any of the taxes lawfully assessed and levied against said lands, and that certain of the petitioners have been compelled to pay the same in order to prevent the lands being sold for taxes, and that the sums so paid by them ought to be decreed to be a charge against the interest of defendants in said lands. Said Petition prays:

(1) For a determination of the exact boundaries of the lands so owned, and to that end that a reference may be had or a survey ordered, or that such other proceedings may be had as may be necessary.

(2) That the amount paid by petitioners in taxes upon the interest of the defendants in said lands may be determined, and said sum, with interest, may be adjudged to be due said petitioners and to be a charge upon the interest of defendants in said lands, and that payment thereof may be, if necessary, enforced by a sale of said interest.

(3) For a partition or sale of the lands lying in both Madison and Haywood Counties.

(4) That the costs and expenses of said proceeding may be taxed to the defendants.

lands, and that same may be enforced by sale if necessary,

(5) For other relief.
Theo. F. Davidson
V. S. Starbuck
Attorneys for Andrew Fiske and Mary K. Horsford, Trustees etc., and Andrew Fisk in his own right,
Petitioners

Herman A. Gudger, Thomas S. Rollins, Attorneys for the other Petitioners.

I HEREBY CERTIFY that the foregoing contains the substance of the petition in said cause.

W. A. WEST,
Clerk of said Court.

W. A. Sams
Physician and Surgeon
Office Front Room Over
Bank of French Broad.

Dr. J. N. MOORE
Has Moved His Office Up
Over Grover C. Redmons
Store. You Will Find
Him There Any
Time.

Dr. R. H. Burk's
DENTIST
Announce's to his friends and acquaintances that he is permanently LOCATED over C. B. Mashburns Office Where he may be found any day in the week. And every week in the Month. And every Month in the year.— Enough Said. Come see me.

WANTED—Land salesman for Madison county, who can give \$1000 bond, and has a car. To such, a good contract is waiting. Write Post Office 18, Hendersonville, N. C.

Dr. V. E. CHARPIE
Dentist
Is now located in Marshall and occupies rooms over citizens bank, can be seen at all hours.

FOR SALE to Farms on Sand Clay road with good dwelling houses and bottom land close to Marion will sell at a bargain write.
S. W. Halliburton,
Henderson Street
Marion, N. C.

DR. L. V. LISENBEE
Optometrist
Come unto me all you that have Eye trouble and I will give you REST.
Will be at Dr. Moore's Office First Monday in May 1922.
N. C. State License.
Dr. L. V. LISENBEE,
Abbeville, S. C.

Save Your Eyes
If you need glasses call on Dr. J. E. Burnett, of Mars Hill, and have your eyes examined. All work guaranteed, best of material used.
This the 20th day June 1922

JOHN E. RECTOR For County Commissioner

Whereas a second primary having been called in the contest for the Republican nomination for Sheriff and the highest Commissioner falling short some several hundred of a majority and in compliance with numerous demands made upon me from all over the county to enter my name as a candidate in the second primary to be held July 1st. In doing so I feel that I am complying with the wishes of a majority of the Republican voters in Madison County.

I wish to emphasize the fact that I have no agreements with any one and if elected the obligations I shall be under are that I pledge all the people of Madison County to give them so far as in my power a straight forward economical honest business administration.

JOHN E. RECTOR,

NORTH CAROLINA STATE COLLEGE
OF
AGRICULTURE AND ENGINEERING
STATE COLLEGE STATION - RALEIGH, N. C.

Technical Education at State College prepares its graduates for personal success and for leadership in industrial progress. The college offers

FOUR YEAR COURSES IN:
Agriculture—including General Agriculture and Specialized Courses in Farm Crops, Agricultural Engineering, Animal Husbandry and Dairying, Biology, Horticulture, Poultry Science, Soils, Veterinary Medicine, Vocational Education.
Chemistry, Agricultural Chemistry, Textile Chemistry and Dyeing.
Civil Engineering, Architecture and Highway Engineering.
Electrical Engineering.
Mechanical Engineering.
Textile—Textile Engineering, Textile Manufacturing, Textile Chemistry and Dyeing.
Agricultural Economics, Business Administration, Rural Life.

TWO YEAR COURSES IN:
Agriculture, Mechanic Arts, Textile Manufacturing.
One Year Course in Auto Mechanics.
Winter Course in Agriculture for Farmers.
Summer Session for Teachers for College Entrance and for College Credit.
Excellent equipment in all departments.
Session 1922-23 begins September 6.
Entrance requirements for Freshman Class, 15 units—English, 3; History, 3; Mathematics, 2½; Science, 1; Elective, 6½.
For catalog, illustrated circulars, and entrance blanks, write E. B. OWEN, Registrar.

We Buy, Sell or Exchange All Kinds Real Estate
Such as Farms, City Property, Timber and Mineral Lands "Anywhere." When you wish to either buy or sell, AT PRIVATE OR AUCTION SALE write or come and see us.
North Carolina Realty Company
J. H. GROGG, Sec.-Treas.
Moved to 78 Patton Ave., South of P. O., Asheville, N. C.

FOR SALE Eggs For SALE!
For Sale in Mars Hill N. C. one third acre of land and one 3 room house, and one 5 room house, one stable, water in the yard, electric lights, 200 yards from Public School house, 500 yards from College, \$1000 cash.
J. A. Smith,
Jess Thomas,
Mars Hill, N. C.

Notice!
Having taken charge of the stock of goods of H. B. Brown and Co. in a store house at the Forks of Ivy, a assignee for benefit of creditors. I will proceed, commencing next Monday the 12th, of June to sell and dispose of said stock of goods at retail, wholesale, and in bulk. The retail price of said goods will be greatly reduced and bargains offered to the general public.
Any one wishing to purchase said stock of goods in bulk may examine the said stock and submit their bid to me at Marshall. The Forks of Ivy is a good location for a store and those wishing to buy in bulk can either continue the business at that location or move the stock.
This the 9th day of June, 1922.
C. B. MASHBURN,
Assingee.

Agents Wanted
Men and women to handle city trade and retail the original and genuine Watkins Products, Remedies, Extracts, Specs, Toilet Requisites, Household specialties, Automobile, Accessories, ect. Over 150 guaranteed products. Our values are unequalled and Watkins Quality is in a class by itself. Write today for free sample and full details of our offer and what it means to you. The R. J. Watkins Co. Dept. 77, New York, N. Y.

Notice of Dissolution
Notice is hereby given that Ernest Payne, who was convicted at the September term of Superior Court, 1921, in Madison County, and sentenced to a term of 22 months on the county roads, will make application to the Governor for pardon. All parties opposed to this pardon will signify same by filing protest in the Governor's office at Raleigh, North Carolina.
This the 20th day June 1922