

CIVIL CALENDAR
Haywood County Superior Court

BEGINNING MAY 7, 1934

HON. FELIX E. ALLEY, JUDGE PRESIDING

TRIAL DOCKET

MONDAY, MAY 7

Table with columns: Def't's. Atty., Title of Case, Def't's. Atty. listing various legal cases and attorneys for Monday, May 7.

TUESDAY, MAY 8

Table with columns: Def't's. Atty., Title of Case, Def't's. Atty. listing various legal cases and attorneys for Tuesday, May 8.

WEDNESDAY, MAY 9

Table with columns: Def't's. Atty., Title of Case, Def't's. Atty. listing various legal cases and attorneys for Wednesday, May 9.

THURSDAY, MAY 10

Table with columns: Def't's. Atty., Title of Case, Def't's. Atty. listing various legal cases and attorneys for Thursday, May 10.

FRIDAY, MAY 11

Table with columns: Def't's. Atty., Title of Case, Def't's. Atty. listing various legal cases and attorneys for Friday, May 11.

MOTION DOCKET

SATURDAY, MAY 12

Table with columns: Def't's. Atty., Title of Case, Def't's. Atty. listing various legal cases and attorneys for Saturday, May 12.

Table with columns: Def't's. Atty., Title of Case, Def't's. Atty. listing various legal cases and attorneys.

MONDAY, MAY 14

Table with columns: Def't's. Atty., Title of Case, Def't's. Atty. listing various legal cases and attorneys for Monday, May 14.

Waynesville Won First Place At School Meet Here

Bethel District Is Given Second Place, Haywood County School Day Successful

(Unavoidably left out last week) Waynesville won first place at the Haywood County School Day which was staged here last Friday at the high school. Bethel came in second with Clyde and Fines Creek receiving third and fourth places respectively.

The morning session was devoted to elementary events, in which Bethel and Waynesville tied with 16 points each. The following scores were recorded: Declaration: Waynesville first, Hugh Arrington; Bethel second, Freeling Haney.

The high school tract meet results were as follows: 100 yard dash (B), Waynesville first; Bethel second.

Champion Motor Co. v. M. J. Trull, et al. Board of trustees of Canton Graded School v. Gurney P. Hood, Com. of Banks.

Sam Welch Given Federal Bank Job Sam Welch of this city, for the past several years an examiner for the State Banking Department, has been appointed a national bank examiner by Comptroller of Currency, F. T. O'Connor, and has been assigned as an examiner for the Fifth Federal Reserve District, with headquarters in Washington, D. C.

East Waynesville Won Elementary Track Meet Honors

(Unavoidably left out last week)

The annual track meet for the elementary schools of the Waynesville township was held here last Wednesday with East Waynesville winning with 35 1/2 points; Hazelwood second with 33 points; and Lake Junaluska 21 1/2 points and Central Elementary 21.

Baseball, girls: Ray Hazelwood, first; Milner, East Waynesville, second. Potato race, girls: Won by Hazelwood; second East Waynesville. Basketball, free throw contest, girls: Milner, East Waynesville, first; McElroy, Lake Junaluska, second.

What is the mortar board I hear mentioned so often? asked the little girl. "I'll try to explain," said Miss Cayenne, "although it is a slightly complicated matter. A mortar board carried by a builder often has cement on top and worn by a college professor often has concrete under it."

Long-Used Laxative To be bought and used as needed for many, many years, speaks well for the reliability of Theodor's Black-Draught, purely vegetable family laxative.

NOTICE OF TRUSTEE'S SALE Under and by virtue of the power of sale contained in a certain deed of trust made by Charles R. Allison and wife, Lena Allison, to J. Hayes Alley, trustee for J. C. Welch, dated December 12, 1931, and recorded in the office of the Register of Deeds for Haywood County, in Book 30 at page 275, default having been made in the payment of the notes thereby secured, and the holder thereof having directed that the deed of trust be foreclosed, the undersigned trustee will offer for sale at the Courthouse door in the Town of Waynesville, at 12 o'clock noon, on Saturday the 19th day of May, 1934, and will sell to the highest bidder for cash the following described real estate, lying and being in Haywood County, North Carolina, and more particularly described as follows, to-wit:

Under and by virtue of the authority conferred by deed of trust executed by Allie Welch and husband, F. C. Welch, dated the 1st day of December, 1927, and recorded in Book 20, page 112 in the office of the Register of Deeds for Haywood County, N. C., the undersigned Trustee will at twelve o'clock noon on

said ridge and keeping with the meanders of the same in a general direction of S. 7° E. 26 poles to a concrete post, (pine tree gone) at W. H. Jones corner at the old Smith line; thence S. 53 1/4° W. crossing the road at Jones corner 48 1/2 poles to a concrete post; thence 86 1/4° W. 50 poles and 5 links to a chestnut in the old line; thence N. 55° poles to a white oak; thence N. 35° W. 4 poles to a stake; thence N. 88° W. 26 poles to a Spanish oak (Jones) in Queen's line; thence N. 2° 30' E. 23 1/2 poles with Queen's line to the BEGINNING; containing 60 acres, more or less.

NOTICE OF SALE OF LAND.

Under and by virtue of the authority conferred by deed of trust executed by Allie Welch and husband, F. C. Welch, dated the 1st day of December, 1927, and recorded in Book 20, page 112 in the office of the Register of Deeds for Haywood County, N. C., the undersigned Trustee will at twelve o'clock noon on

The following events were won as follows: 100 yard dash: Rathbone, Lake Junaluska first; Hill, East Waynesville, second.

Baseball, girls: Ray Hazelwood, first; Milner, East Waynesville, second. Potato race, girls: Won by Hazelwood; second East Waynesville. Basketball, free throw contest, girls: Milner, East Waynesville, first; McElroy, Lake Junaluska, second.

What is the mortar board I hear mentioned so often? asked the little girl. "I'll try to explain," said Miss Cayenne, "although it is a slightly complicated matter. A mortar board carried by a builder often has cement on top and worn by a college professor often has concrete under it."

Charlotte N. C. NOTICE OF SEIZURE. Whereas on April 14, 1934, Chevrolet Touring Car, 1926 Model, Motor No. 2766398, was seized by Federal Officers in Haywood County, N. C. in violation of Section 3450, Revised Statutes, now there are no liens, is hereby given to all persons owning or claiming right, title or interest in said automobile to present certified claim thereto on or before May 26, 1934, in default of which the same will be advertised and sold at public auction, as provided by law. T. E. Patton, Investigator in Charge. Alcoholic Beverage Unit. No. 200—Apr. 26-May 3-10.

NOTICE OF TRUSTEE'S SALE On Monday, May 21, 1934, at eleven o'clock a. m. at the court house door in the Town of Waynesville, Haywood County, N. C., I will sell at public outcry to the highest bidder for cash, the following described lands and premises:

HERMITAGE CONSTRUCTION CO., A CORPORATION, T. M. STRIDER AND THE AMERICAN NATIONAL BANK OF NASHVILLE, TENNESSEE, Defendants. The defendants above named will take notice that a summons in the above entitled action was issued out of the Superior Court of Haywood County, N. C., against the said Hermitage Construction Co., a corporation, T. M. Strider and The American National Bank of Nashville, Tennessee, defendants on the 18th day of April, 1934, and that said date the plaintiff filed a complaint in said cause therein demanding judgment against the defendants, Hermitage Construction Company and the American National Bank for the sum of \$13,250.00 and Two Hundred Fifty (\$13,250.00) Dollars, due said plaintiff by reason of the breach of a certain contract made and entered into between the plaintiff and said named defendants and by reason of certain money held by the defendants, which is the property of the plaintiff and which said complaint filed against all the defendants asked for the cancellation of certain deeds, deeds in trust assignments in and to real estate and equitable interests owned by the plaintiff.

Given under my hand and seal of said Court this 13th day of April, 1934. W. G. BYERS, Clerk Superior Court, Haywood County, N. C. No. 203—Apr. 26-May 3-10-17.

437 Record of Deeds of Haywood County, to which said deed reference is hereby made. EIGHTH TRACT: Being the tract of land conveyed to W. T. Lee by deed from W. E. Detwiler (unnamed) dated March 12, 1915, and recorded in Book No. 44, page 155, Record of Deeds of Haywood County, which said deed and record reference is hereby made.

NINTH TRACT: Being the land conveyed to W. T. Lee by deed from J. R. Hyatt and wife, Elizabeth B. Hyatt, dated January 8, 1916, and recorded in Book 45, page 183 Record of Deeds of Haywood County, to which said deed and record reference is hereby made.

The second, third, fourth, fifth, sixth, seventh, eighth and ninth tracts above referred to being the same land sold and conveyed by W. T. Lee and wife, Margaret Lee, to H. G. Stone by deed dated the 8th day of October, 1925, and which said deed is recorded in the office of the Register of Deeds No. 69, page 179 to which said deed and record reference is hereby made for a full and complete description of said lands.

SATURDAY, MAY 19th, 1934 at the Court House Door of Haywood County in Waynesville, North Carolina, sell at public auction for cash to the highest bidder the following land to-wit: "BEGINNING at a stake on the West side of Branner Avenue, which stake is South 55 degrees West, 210 feet from the intersection of Boundary Street with Branner Avenue, said stake is also the Southwest corner of C. S. Smathers lot; and runs thence South 53 degrees West 72 feet with the West line of Branner Avenue to a stake, corner of F. C. Welch property; thence North 69 degrees 30 minutes West, 282 feet to a stake in C. S. Smathers line; thence North 37 degrees East 69 feet with Smathers line to an iron stake in C. S. Smathers corner; thence S. 69 degrees E. 301 feet with C. S. Smathers line to the beginning.

On Monday, May 7th, 1934, at eleven o'clock A. M., at the court house door in the town of Waynesville, Haywood County, North Carolina, the undersigned will sell at public outcry to the highest bidder for cash, the following lands and premises, lying and being in Cecil Township, Haywood County, and more particularly described as follows: BEGINNING on a rock, J. U. Warren corner, and runs S. 85° E. 10 poles to a rock in Inman Branch thence N. 17° E. 2 poles to a stake at road; thence North 84° West 2 poles to a stake; thence North 61° West 33 poles to a stake in the road; thence North 87° West 12 poles to a stake in W. H. Warren's line thence with his line, S. 17° W. 4 poles to a stake, said Warren's corner thence S. 80° E. 58 poles to a source wood, J. U. Warren corner; thence North 38 poles to the BEGINNING containing sixteen and one-half (16 1/2) acres, more or less.

Being the same lands conveyed by H. R. Mauney and wife, I. N. Mauney to J. D. Free, by deed dated March 5, 1919, and recorded in Book No. 53, page 292. Record of Deeds of Haywood County, N. C. Sale made pursuant to power of sale conferred upon the undersigned by virtue of a deed of trust executed by W. B. Pinner and wife, Mae Pinner, dated June 1st, 1931, and recorded in Book 26, page 121, Record of Deeds of Trust of Haywood County, N. C. M. G. STAMEY, Trustee. No. 194—Apr. 12-19-26-May 3.

NOTICE OF TRUSTEE'S SALE STATE OF NORTH CAROLINA, HAYWOOD COUNTY. IN THE SUPERIOR COURT. C. M. DICUS, Plaintiff, VS. HERMITAGE CONSTRUCTION CO., A CORPORATION, T. M. STRIDER AND THE AMERICAN NATIONAL BANK OF NASHVILLE, TENNESSEE, Defendants.

The defendants above named will take notice that a summons in the above entitled action was issued out of the Superior Court of Haywood County, N. C., against the said Hermitage Construction Co., a corporation, T. M. Strider and The American National Bank of Nashville, Tennessee, defendants on the 18th day of April, 1934, and that said date the plaintiff filed a complaint in said cause therein demanding judgment against the defendants, Hermitage Construction Company and the American National Bank for the sum of \$13,250.00 and Two Hundred Fifty (\$13,250.00) Dollars, due said plaintiff by reason of the breach of a certain contract made and entered into between the plaintiff and said named defendants and by reason of certain money held by the defendants, which is the property of the plaintiff and which said complaint filed against all the defendants asked for the cancellation of certain deeds, deeds in trust assignments in and to real estate and equitable interests owned by the plaintiff.

The defendants will further take notice that they are required to appear in the office of the Clerk of the Superior Court for the County of Haywood at the Court House in Waynesville, N. C. on or before the 28th day of May, 1934 and answer the complaint filed in said cause and the defendants will take notice that if they fail to answer or demur to the complaint within the time required by law the plaintiff will apply to the Court for the relief demanded in the complaint.

Given under my hand and seal of said Court this 13th day of April, 1934. W. G. BYERS, Clerk Superior Court, Haywood County, N. C. No. 203—Apr. 26-May 3-10-17.