

LEGAL NOTICES

MORTH CAROLINA, CHEROKEE COUNTY NOTICE OF SALE

By virtue of a deed of trust or portgage executed by W. O. Patton and wife, Bobbie Patton to T. J. gaberts, and Eli Abernathy trustee a 28th day of April 1932, which is corded in office of Register ot peeds for Cherokee County, in Deed ok No. 90, page 548 or Book No. 90 of Deeds of Trust page 548, May 15th, 1932, to secure the debt therein entioned due T. J. Roberts and the sid W. O. Patton and wife, Bobbie fation, in said instrument mentioned. laving failed to pay off and disdarge said indebtedness, and demand having been made on said Eli Aberminy trustee, that he do sell the land hereinafter described and as described in said instrument of writing above referred to, we will on Monday November 7th, 1938, at 10 o'clock A M. Central Time, offer for sale at public outcry at the Courthouse door Murphy the following described ands adjoining the lands of George falmer, W. O. Patton and others. Beginning on the South West corna No. 11, as shown by the map of the ike Land and Improvement Co. reorded in Plat Book No. 1, page 13, and running East 58 poles to a pine in said line; thence N. W. 79 p. to the orner of said lot; thence South to the beginning. Containing 10 acres more or less. To satisfy the indebtedess or any balance that may be due there on, that is setforth in said intrument above referred to. Terms of sle cash. Sale made subject to con firmation as provided by law.

This October 6, 1938. T. J. ROBERTS, Beneficary ELI ABERNATHY, Trustee. (10-5t-ebn)

In the District Court of the Unitd States for the Western District of North Carolina. No. 2. United States of America upon the relation and for the use of the Tennessee Valley Authority, Petitioner v. George G. Whitcomb, Anna Whitcomb, his vife; Willoughby N. Whitcomb, Susie Whitcomb, his wife; Fred B. Whitcom, Alice Whitcomb, his wife; John Whitcomb: Holbert Whitcomb, Annie Whitcomb, his wife; Edith Augusta Whitcomb; Lou Bell Whitcomb Hoe, Homer Hoe, her husband; Charles W. Whitcomb, Frances Whitcomb, his wife; Martha Liberty Whitcomb, a minor; May Whitcomb May Wetmore, her Betty Wetmore, Tom usband; Charles Dickey, Betty Dickey, his wife; W. F. Krickhan, M. Coleman, Minnie Stewart, Clars Crisp, Lula Ward, Quince Colvard, Mae Colvard, widow of S. J. R. Coltard, decensed; Pauline Day, Bertha bay, Myra Taulbee, Decatur Colvard, J.R. Colvard, Odin Hill, Arthur Hill, husband Mildren (Mildred) Feelng, Minnie Colvard, widow of Ross Colvard, deceased; J. D. Colvard, W A Adams, as guardian of Martha berty Whitcomb, a minor; Lena Atkin Wert, as executrix of the es-tate of Dr B. S. Wert, deceased Fage-Hancock Company, a Corporation; State of North Carolina, a Sov reign State; Hamilton County, Tenssee, a political subdivision of the State of Tennessee; Hamilton Naional Bank of Chattanooge, a Corperation, as guardian of Martha Libety Whitcomb, a minor; Unknown Beirs, Devisees, Executors, Adminisd, Charine A. Whitcomb, Charlie Whitcomb and Thomas Cockerham; Unknown Heirs of Ross Colvard, de ased; Unknown Parties in Interest, spondents. Order of Publication. h the above styled cause it appeared that the following respondents are all un-residents of the State of North Grolina, and not to be found within State of North Carolina after ligent search and inquiry, and reide at the addresses shown after their sective names: George G. Whitamb, Anna Whitcomb, his wife, hed B. Whitcomb, Alice Whitcomb, wife, John Whitcomb, Holbert comb, Annie Whitcomb, his wife, kith Augusta Whitcomb, Charles W Thiteomb and Frances Whitcomb. wife, Harlan, Kentucky; Will-wife, Harlan, Kentucky; Will-wife, Harlan, Kentucky; Will-min, his wife, Harriman, Tennessee; Lin Bell Whitcomb Hoe and Homer Hee, her husband, Middlesboro, Kenner husband, Middlesboro, Ken-heky; Martha Liberty Whitcomb, a 7, 510 East Fourth Street. Chatoga, Tennessee; May White

The Cherokee Scout, Murphy, North Carolina

Wetmore and Tom Wetmore, her husand, Little River, South Carolina: Minnie Stewart, Clara Crisp and guince Colvard, Eik City, Okiahoma. .ula Ward and Decatur Colvard, inita, Oklahoma; Pauline Day and Jertha Day, Carmango, Okianoma; Jyra Taulbee, 12 West Walker Arcet, McAllister, Oklahoma; J. R. Carolina, on the right side of the Colvard, Afton, Oklahoma; Mildren (Mildred) Feeling, Selina, Okiahona; Minnie Colvard, Lumberton, New Mexico; J. D. Colvard, Whitther, California; Lena Atkin Wert, 428 imes Boulevard, Signal Mountain, Tennessee; Page-Hancock Company, corporation, 1914 McCallie Avenue, Chattanooga, Tennessee; Hamilton County, Tennessee, a political subdivision of the State of Tennessee Chattanooga, Tennessee; Hamilton National Bank of Chattarooga, a corporation, as guardian of Martha Liberty Whitcomb, a minor, Hamilton National Bank Building, Chattanooga, Tennessee; Mae Colvard, Odin Hill and Arthur Hill, her husband, whose addresses are unascertained after diligent search and inquiry; unknown heirs, devisees, executors, adminis trators, creditors and successors in title of Cynthia Whitcomb, deceased, Charine A. Whitcomb, Charlie Whitcomb and Thomas Cockerham; unknown heirs of Ross Colvard; and all unknown parties in interest whose names, ages and addresses are unas certained after diligent search inquiry are non-residents of the State of North Carolina. It is, Therefore, ordered that the above respondents appear on or before the 2 day of December, 1938, in this Court, sitting at Asheville, North Carolina, and then and there make answer to this petition and assert whatever right, title, claim, or interest they may have in the said lands herein condemned, be forever barred. The lands affected by this condemnation are to wit: TRACT FBR-10-A tract of land lying in Beaverdam Township, and also in the Fifth Civil District of Cherokee County, State of North. Carolina, on the right side of the Hiwassee River, approximately 5/8 miles east of the mouth of Beaver Dam Creek, and more particularly described as follows: A tract of land shown on the map of Cherokee County, State of North Carolina, as a portion of State Survey Tracts Nos. 72, 73, 74, 75, & 77, State Survey Tract No. 76, the land lying south of and adjacent to State Survey Tract No. 77, and more particularly described as follows: Beginning at a stake at the northwest corner of State Survey Tract No. 76, a corner to the lands of the Southern States Power Company, and the most northerly point of the tract herein described; thence with the Power Company's line S. 84° 30' E., 1705 feet to a point; thence S. 79° 30' E., 645 feet to a stake, a corner of the lands of the Southern States Power Company, and the Mark Rose Heirs; thence with the Mark Rose Heirs' line S. 84° 30' 1890 feet to a stone, a corner E., of the lands of the Mark Rose Heirs and A. W. Chambers; thence with A W. Chambers' line S. 85° 00' E., 125 feet to a stone; thence S. 6' 06' W. 725 feet to a 2 inch sourwood tree at the top of a ridge, a corner of the lands of A. W. Chambers, and Geo W. Hall; thence with Geo. W. Hall's line, and with the top of the ridge as it meanders in a southwesterly direction approximately 1340 feet to an 18 inch spanish oak tree; thence continuing with the ridge as it meanders in a southerly direction approximately 1060 feet to a 36 inch black oak tree; thence, leaving the ridge, S 53° 00' E., 275 feet to a stake, a corner of the lands of Geo. W. Hall, and W. G. Odom; thence with Odom's line S. 37° 00' W., 1210 feet to a The of Curthin Whitemeth decase, above mean sea level, a corner of the also in the Fifth Civil District of Power Company, and the land in dislands of W. G. Odom, and the Southern States Power Company; thence with the Southern States Power Company's line, and with the 1465 foot contour as it meanders in a westerly direction approximately 2930 feet to a 6 inch sourwood tree; thence N. 41° 00' W., 1130 feet to a point at an elevation of 1465 feet above mean sea level; thence with the 1465 foot contour as it meanders in a northcasterly and then in a southwesterly direction approximately 2730 feet to a point; thence N. 41° 00' W., 725 feet to a 30 inch black oak tree, a corner of the land of the Southern States Power Company, and the land in dispute between Mollie I. Whitcomb and the Southern States Power Company; thence with the line of the land in dispute between Mollie I. Whitcomb and the Southern States Power Company N. 4° 00' E., 1665 feet to a stake, a corner of the land in dispute between Mollie I. Whitcomb and the Southern States Power A at the

States Power Co.; thence with the Power Company's line N. 7º 30' E., 1309 feet to the point of beginning and containing 362.8 acres, more of ess. TRACT FBR-11-A tact of iand lying in Beaver Dam Township Hiwassee River, approximately 1 miloutheast of the mouth of Beaver Dam Creek, and more particularly described as follows: Beginning at a point at an elevation of 1465 feet above mean sea level, a corner of the lands of Mollie I. Whitcomb, and the Southern States Power Company (an adjoining tract), and the most southpoint of the tract herein de scribed; thence with the Power Company's line N. 41° 00' W., 240 feet to a point at an elevation of 1465 feet above mean sea level, a corner of the lands of the Southern States Power Company (an adjoining tract), and Mollie Whitcomb: thence with Mollie I. Whitcomb's line and the 1465 foot contour as it meanders in a northeasterly and then southwesterly direction approximate ly 2730 feet to the point of beginning, and containing 3.9 acres, more or TRACT FBR-12-A tract of less land lying in Beaver Dam Township and also in the Fifth Civil District of Cherokee County, State of North Carolina, on the right side of the Hivassee River, approximately 1 1/2 miles southeast of the mouth of Beaver Dam Creek, and more particularly described as follows: Beginning at a 6 inch sourwood tree at an elevation of 1465 feet above mean sea level, a corner to the lands of the Southern States Power Company (an adjoining tract), and Mollie I Whitcomb, and the most westerly point of the tract herein described; thence with Mollie I. Whitcomb's line and the 1465 foot contour as it meanders in a northerly and then easterly direction approximately 2930 feet to a stake, a corner of the lands of the Mollie I. Whitcomb. and W. G. Odom; thence with W. G. Odom's line S. 37° 00' W., 455 feet, crossing Chambers Creek, to a 6 inch dogwood tree at an elevation of 1465 feet above mean level, a corner of the lands of W. G. Odom, and Mollie I. Whitcomb; thence with Mollie I. Whitcomb's line and the 1465 foot contour as it meanders in a westerly direction approximately 1895 feet to a stake, a corner of the lands of Mollie I. Whitcomb, and the Southern States Power Company (an adjoining tract); thence with the Southern States Power Company's line N. 49° 00' W., 250 feet, crossing Chambers Creek, to the point of beginning, and containing 19.2 acres, more or less. TRACT FBR-13-A tract of land lying in Beaver Dam Township and also in the Fifth Civil District of Cherokee County, State of North Carolina, on the right side of the Hiwassee River, approximately 11/2 miles southeast of the mouth of Beaver Dam Creek, and more particularly described as follows: Beginning at a stone, a corner of the lands of W. G. Odom, and the Southern States Power Company, and the most southerly point of the tract herein described; thence with the Southern States Power Company's line N. 49° 00' W., 785 feet to a stake at an elevation of 1465 feet above mean sea level; thence with the 1465 foot contour as it meanders in an easterly direction approximately 1895 feet to a 6 inch dogwood tree, a corner of the lands of the Southern States Power Company, and W. G. Odom; thence with W. G. Odom's line S. 64° 00' W., 1225 feet to the point of beginning, and containing 15.5 acres, more, or less. TRACT FBR-355-A tract of land Cherokee County, State of North Carolina, on the right side of the Hiwassee River, approximately 300 feet northeast of the mouth of Beaver Dam Creek, and more particularly described as follows: A portion of a tract of land previously described and conveyed as Pre-emption No. 273, and more particularly described as follows: Beginning at a point at an elevation of 1465 feet above mean sea level and in the north line of Pre-emption No. 273, said point being S. 76° 30' W., 35 feet from the northeast corner of Pre-emption No. 273. a corner of the land in dispute among the Southern States Power Company, Mollie I. Whitcomb and the A. N. Colvard Heirs, the land in dispute between the Southern States Power Company and the A. N. Colvard Heirs, and the land in dispute among the Scuthern States Power Company, State of North Carolina and M. P. Coleman, and the most northerly

dispute among the Southern States Power Company, State of North Carolina and M. P. Coleman, and with the 1465 foot contour as it meanders in a southerly direction approximately 660 feet to a point, a corner of the land in dispute among the State of North Carolina, the Southern States Power Company and M. P. Coleman, the land of the Southern States Power Company, and the land in dispute between the Southern States Power Company and Mollie I Whitcomb; thence with the line of the land in dispute between the Southern States Power Company and Mollie I. Whitcomb S. 10° 00' E., 293 feet to a point at an elevation of 1465 feet above mean sea level, a corner of the land in dispute be tween the Southern States Power Company and Mollie I. Whitcomb, the land of the Southern States Power Company, and the land in dis pute among the State of North Carolina, the Southern States Power Company and M. P. Coleman; thence with the line of the land in dispute among the State of North Carolina, the Southern States Power Company and M. P. Coleman, and with the 1465 foot contour as it meanders in a northwesterly direction approximately 2990 feet to a point, a corner of the land in dispute among the State of North Carolina, the Southern States Power Company and M. P. Coleman, the land in dispute between the Southern States Power Company and the A. N. Colvard Heirs, and the land in dispute among the Southern States Power Company, Mollie I. Whitcomb and the A. N. Colvard Heirs; thence with the line of the land in dispute among the Southern States Power Company, Mollie 1. Whitcomb and the A. N. Colvard Heirs N. 76° 30' E., 1560 feet to the point of beginning, and containing 13.3 acres, more or less. TRACT FBR-384-A tract of land lyng in Beaverdam Township, and also in the Fifth Civil District of Cherokee County, State of North Carolina, on the right side of the Hiwassee River, approximately 1 / 4 mile north of the mouth of Beaver Dam Creek, and more particularly described as follows: A tract of land shown on the map of Cherokee County, State of North Carolina, as a portion of Entry 8646, Grant No. 19, 173, and more particularly described as follows Beginning at a stake, a corner of the land in dispute between the Southern States Power Company and Mollie I. Whitcomb, the land of the Southern States Power Company, and the land in dispute between the Southern States Power Company and Mollie I. Whitcomb; thence with the line of the land in dispute between the Southern States Power Company and Mollie I. Whitcomb S. 89° 30' E., 1960 feet to a stake; thence S. 20 SO' E., 870 feet to a point at an elevation of 1465 feet above mean sen level, a corner of the land in dispute between the Southern States Power Company and Mollie I. Whitcomb, the land of the Southern States Power Company, and the land in dispute between the Southern State Power Company and the A. N. Colvard Heirs; thence with the line of the land in dispute between the Southern States Power Company and the A. N. Colvard Heirs, and the 1465 foot contour as it meanders in a southerly direction approximately 75 feet to a point; a corner of the land in dispute between the Southern States Power Company and the A. N. Colvard Heirs, and the lands of the Southern States Power Company, and Mollie I. Whitcomb; thence with Mollie I. Whitcomb's line S. 76° 36' W., 1560 feet to a point at an elevation of 1465 feet above mean sea level, a corner of the lands of Mollie I. Whitcomb, the Southern States

the mouth of Beaver Dam Creek, and more particularly described as follows: A portion of a tract of land previously described and conveyed as Pre-emption No. 273, and more particularly described as follows: Beginning at a stake at the southeast corner of Preemption No. 273, a corner of the land in dispute between the Southern States Power Company and Mollie I. Whitcomb, and the land of Moilie I. Whitcomb, and the most easterly point of the tract herein described; thence with Mollie I. Whitcomb's line S. 77° 00' W., 865 feet to a point at an elevation of 1465 feet above mean sea level, a corner of the lands of Mollie I. Whitcomb, the Southern States Power Co., and the land in dispute among the State of North Carolina, the Southern States Power Company and M. P. Coleman; thence with the line of the land in dispute among the State of North Carolina, the Southern States Power Company and M. P. Coleman, and with the 1465 foot contour as it meanders in northerly and then an easterly direction approximately 1960 feet to a point, a corner of the land in dispute among the State of North Carolina, the Southern States Power Company and M. P. Coleman, the land of the Southern States Power Company, and the land in dispute between the Southern States Power Company Mollie I. Whitcomb; thence with the line of the land in dispute between the Southern States Power Company and Mollie I. Whitcomb S. 10 E., 550 feet to the point of beginning, and containing 10.8 acres, more or TRACT FBR-396-A tract of land lying in Beaverdam Township, and also in the Fifth Civil District of Cherokee County, State of North Carolina, on the right side of the Hiwassee River, approximately 1/4 mile east of the mouth of Beaver Dam Creek, and more particularly described as follows: A portion of a tract of land previously described and conveyed as Pre-emption No. 273, and more particularly described as follows: Beginning at a point at an elevation of 1465 feet above mean sea level and in the east line of Preemption No. 273, said point being N. 10° 00' W., 725 feet from a stake at the southeast corner of Pre-emption No. 273 a corner of the land in dispute between the Southern States Fower Company and Mollie I. Whitcomb, the land of the Southern States Fower Company, and the land in dispute among the State of North Carolina, the Southern States Power Company, and W. P. Coleman, and the most easterly point of the tract herein described; thence with the line of the land in dispute among the State of North Carolina, the Southern States Power Company and M. P. Coleman and with the 1465 foot contour as it meanders in a westerly, northerly, and then an easterly direction approximately 565 feet to a point, a corner of the land in dispute among the State of North Carolina, the Southern States Power Co. and M. P. Coleman, the land of the Southern States Power Company, and the land in dispute between the Southern States Power Company and Mollie I. Whitcomb; thence with the line of the land in dispute between the Southern States Power Company and Mollie I. Whitcomb S. 10° 00' E., 160 feet to the point of beginning, and containing 0.8 acres, more or less. TRACT FBR-416-A tract of land lying in Beaverdam 1 ownship and also in the Fifth Civil District of Cherokee County, State of North Carolina, on the right side of the Hiwassee River, approximately 1 3/8 miles southeast of the mouth of Beaver Dam Creek, and more particularly described as follows: Be-

ginning at a 6 inch dogwood tree, a corner of the lands of Mollie I. Whitpute between the Southern States comb, the Southern States Power Co., Fower Company and the A. N. Coland W. G. Odom, and the most northvard Heirs; thence with the line in erly point of the tract herein dedispute between the Southern States scribed; thence with W. G. Odom's Power Company, and the A. N. Colline S. 38° 00' W., 282 feet to a stake; thence N. 88° 00' E., 280 feet vard Heirs, and the 1465 foot contour as it meanders in a northwesto a stake; thence S. 38° 00' W., terly direction approximately 770 690 feet to a point, a corner of the feet to a point; a corner of the land lands of W. G. Odom, and the Southin dispute between the Southern ern States Power Co.; thence with States Power Company and the A. N. the Power Co.'s line N. 74° 00' W., Colvard Heirs, the land of the South-815 feet to a point, a corner of the ern States Power Company, and the lands of the Southern States Power land in dispute between the Southern Co., and Mollie I. Whitcomb; thence States Power Company and Mollie I. with Mollie I. Whitcomb's line N. 64° Whitcomb; thence with the line in 00' E., 1225 feet to the point of belispute between the Southern States ginning, and containing 9.0 acres, Power Company and Mollie I. Whitmore or less. It is further ordered comb N. 18° 00' W., 860 feet to the that this notice be published once a point of beginning, and containing week for four (4) consecutive weeks 47.9 acres, more or less. TRACT in the Cherokee Scout, a weekly news-FBR-395-A tract of land lying in paper published in Murphy, North Beaverdam Township and also in the Carolina. Done this 7 day of Oct. Fifth Civil District of Cherokee Coun-1938. E. Y. WEBB, Judge. A true ty, State of North Carolina, on the copy test, J. Y. Jordan, Clerk, By O. neint of the tract herein described; right side of the Hiwassee River, ap-L. McLurd, Chief Deputy Clerk. (11-4t-tva)