

LEGAL NOTICES

In the District Court of the United States for the Western District of North Carolina, Asheville Division No. 345. United States of America upon the relation and for the use of the Tennessee Valley Authority, Petitioner v. Southern States Power Company, a corporation; Vina Rogers Adams; John Adams, her husband; W. A. Adams, as guardian of Martha L. Whitcomb (a minor); Dora Berry Aikens, Newt Aikens, her husband; Alleghany Company, a corporation; Alleghany Mining Company, a corporation; Alleghany Mining Company of Tennessee, a corporation; J. J. Atwood; Eva Ball; Hurshel Ball; Raleigh Ball; D. R. Ballew; Oliver C. Ballew; Jesse Ballew; Ada (Ida) Ballew, his wife; Thomas Ballew, Hazel Ballew, his wife; Harlie Ballew, Dortha Ballew, his wife; Cynthia (C. E.) Barton; W. W. Barton; A. J. Barton, Mamie Barton, his wife; L. E. Bayless, individually and as trustee for R. L. McClain and Sam Tate, Pearl Bayless, his wife; Jane Battle; Edna Beavers; Fred Beavers, her husband; C. H. Betty; Belle (Billie) Mount Berry; Dallis Berry, her husband; H. C. Berry; Elita Berry, his wife; Toke Berry; Castor Berry, his wife; Rafe Berry; Homer Berry; Ida Burgess Bell; Bob Bell, her husband; Lucy Payne Biggs; Ader Biggs, her husband; Caldonia Bowman; Lena Person Blackwell; John Doe Blackwell, her husband; Winona Barton Bracey; Frank Bracey, her husband; Celia Rose Bryson; Joe Bryson, her husband; A. H. Buzhert; Carolina Timber Company, a corporation in dissolution; A. C. Levering; Walter B. Wassels; J. R. Crunkleton, as officers and trustees of the Carolina Timber Company, a corporation in dissolution; Mercantile Trust Company of Baltimore, a corporation, as stockholder of the Carolina Timber Company, a corporation in dissolution; Central Bank and Trust Company of Asheville, a corporation in dissolution, as trustee; Gurney P. Hood, as Commissioner of Banks for the State of North Carolina, ex rel. Central Bank and Trust Company of Asheville, North Carolina, a corporation in dissolution; Ute Carroll, Mrs. Ute Carroll, his wife; Newton Carroll, Mrs. Newton Carroll, his wife; Emma Rogers Coleman, John Coleman, her husband; Harriett Stiles Coleman, Gay Coleman, her husband; Quince Colvard; J. R. Colvard, Mae Colvard, widow of S. J. R. Colvard, Jr.; Decatur Colvard; J. D. Colvard; Minnie Colvard, a widow of Ross Colvard, deceased; Beryl Bryson Combs; Buford Combs, her husband; T. J. Cooper, individually and as surviving executor with power of sale under the last will of J. W. Cooper, deceased; Cherokee County, North Carolina, a political subdivision of the State of North Carolina; Edwin Cooper, Myrtle Cooper, his wife; William M. Craig, Martha I. Craig, his wife; Grace Pruden Cooper, widow of R. L. Cooper, deceased; Harry P. Cooper, Rosaline Cooper, his wife; Mary Ann Payne Crane; Clara Crisp; Lillian Bryson Crye, W. E. Crye, her husband; Elizabeth Cooper Card, Harry N. Card, her husband; Linnie Johnson Daughy, Frank Daughy, her husband; Emily Cooper Davidson, J. W. Davidson, her husband; Ollie Stiles Davis, Tom Davis, her husband; Pauline Day; Bertha Day; Katt Berry Denton, Charlie Denton, her husband; Charles Dickey, Bettie Dickey, his wife; Fred Dickey; Mary Donly, Marvin Donly, her husband; Leland Donly; John Doe Donly; Mae Colvard Doe, John Doe, her husband; Louise Jackson Evans, George S. Evans, her husband; J. B. Fain, Louisa Jane Fain, his wife; Flora Stiles Fair, Lee Fair, her husband; Mildren Feeling; Federal Land Bank of Columbia, South Carolina, a corporation; Hester L. Ferguson, a widow; P. B. Ferebee; Rachel Rose Gibson, Tom Gibson, her husband; J. I. Green; J. W. Green, Myrtle Green, his wife; S. W. Green, Birdie Green, his wife; W. R. Green, Lula Green, his wife; M. J. Green, Mae Green, his wife; Sarah Green, a non compos mentis; George Green, a non compos mentis; Alice Green; Manuel Green, Ervin Green, Mrs. Ervin Green, his wife; S. W. Green, individually and as guardian of George Green, a non compos mentis; M. I. Green; Jesse Green, Mrs. Jesse Green, his wife; Pauline Gudger; Thelma Gudger; B. K. Hall, Nancy Hall, his wife; W. C. Hampton, as trustee; James T. L. Hartness, Mrs. James T. L. Hartness, his wife; Bertha Harris, Roy C. Harris, her husband; William Haygood (a minor); Agnes Hendricks, John Doe Hendricks, her husband; Zada Henson, Roy L. Henson, her husband; Frank Higdon, a minor; Ed Higdon, as guardian of Frank Higdon, a minor;

Arthur Hill, Odin Hill, his wife; Lou Belle Whitecomb Hoe, Homer Hoe, her husband; William R. Hopkins; Gertrude Patterson Hutchinson; Alfred James, Margaret James, his wife; Madie Stiles Johnson, John Johnson, her husband; Oscar Johnson, Mrs. Oscar Johnson, his wife; Gay Johnson, Lillie Taylor Johnson, his wife; Fate Johnson; J. B. (John) Johnson, Florence Johnson, his wife; Robert Johnson; Sadie Johnson Kerr; John Killian; W. F. Krickhan; Rosie Stiles Lacey, C. Lacey, her husband; Addie Berry (Motes) Mates, a widow; Gussie Berry (Motes) Mates; Theodore (Motes) Mates; Addie Mathews, J. D. Mathews, her husband; John G. Mathews, Amy L. Mathews, his wife; Annie Johnson Martin, Gary Martin, her husband; Pinkey Miller, Harry Miller, her husband; Mary E. Moore; Aaron McTaggard, Mrs. Aaron McTaggard, his wife; Arvel McTaggard, Nina McTaggard, his wife; Fair McTaggard, Artie McTaggard, his wife; Josephine Stiles Parnell; Eugene W. Patterson; Gordon Patterson; Jennie Patterson; George Payne, Sarah Payne, his wife; Jimmie Payne, Cynthia Payne, his wife; William P. Payne, Lillie Payne, his wife; Pinkney (Pink) Payne, Emma Payne, his wife; Genia Payne, widow of John Payne, deceased; Maggie Payne, widow of James Payne, deceased; Mark Payne, Walter Payne, Mary Payne, his wife; Mary Ann Rose Payne, L. C. Payne, her husband; Eller Rose Payne, Felix Payne, her husband; Alfred Payne; Marion Payne; Rosie Payne; Ervin Payne; Lillie Payne; Sarah Payne; Bertha Berry Peace, Fred Peace, her husband; Lou Berry Perry, John Perry, her husband; George W. Person, Mrs. George W. Person, his wife; Roy Erstine Person, Sadie Person, his wife; W. B. Raper, Verdie Raper, his wife; Ethel Rogers Roberts, John Roberts, her husband; Devor Rogers; Luther Rogers; Robert Rogers, Mary Jane Rogers, his wife; Frank Rogers; Treacie Rose, a widow; Edgar Rose; Frank Rose, Earl Rose, his wife; Grady Rose, Gladys Rose, his wife; Herman Rose; Willoby Rose; John Doe Rose; Richard Roe Rose; Harve Rose, Lilly Rose, his wife; Jack Rose, Bessie Rose, his wife; J. L. Rose, Georgia Mae Rose, his wife; Dora Rucker; Susan Winchester Scales; Dulcena (Dulcis) Stiles S. F. Tom Self, her husband; William Silk; Cleo Barton Simonds, A. M. Simonds, her husband; Hazel Ballew Siske, John Doe Siske, her husband; Marie Louise Person Smithers, James Smithers, her husband; H. D. Staleup, Lou Staleup, his wife; State of North Carolina, a sovereign state; Minnie Stewart; Patton Stiles, Ida Stiles, his wife; Wilburn Stiles, Adda Stiles, his wife; Charlie Stiles, Ethel Stiles, his wife; Clifford Stiles, Vesta Stiles, his wife; Pearl Stiles, Hattie Stiles, his wife; Earn Stiles, Icie Stiles, his wife; Hayes Stiles, Vesta (Vestie Edith Gusta McDonald) Stiles, his wife; Tom Stiles, Mary Stiles, his wife; Ed Stiles, Josie Stiles, his wife; John Stiles, Maude Stiles, his wife; Sol Stiles, Beula Stiles, his wife; Lewis Stiles, Mrs. Lewis Stiles, his wife; Asbury Stiles, Mrs. Asbury Stiles, his wife; Bert Stiles, Mrs. Bert Stiles, his wife; Lillie Stiles; George Stiles, Mrs. George Stiles, his wife; John Stiles, Nola Stiles, his wife; Thaddock Stiles, Jenny Stiles, his wife; Boyd Stiles, Della Stiles, his wife; Lyde Stiles; Foly Stiles; Pearl Stiles; Henry Stiles; Harry Stiles, Clara Stiles, his wife; Hermon Stiles, Frankie Stiles, his wife; Bonnie Mae Stiles; Blain Stiles; Bob Stiles, a minor; Berthie Lee Stiles, a minor; Ruth Stiles, a minor; Lizzie Payne Stiles, Pearl Stiles, her husband; Vandora Suit, C. E. Suit, her husband; Swain Development Company, a corporation in dissolution; (S. T. Jones, Katie Lou Jones, his wife; J. T. McGill, Mrs. J. T. McGill, his wife; Mrs. J. F. (Elsa) Daley, J. F. Daley, her husband; Dixie Dillard, a widow; Thomas Ruffin Dillard, Mollie Dillard, his wife; Annie Dillard, Hall E. F. Hall, her husband; L. E. Bayless, Pearl Bayless, his wife; Elizabeth B. Reagan, widow of J. A. Reagan, deceased; Home Mission Committee of Asheville Presbytery, a corporation; Helen M. Allen, Will Allen, her husband; Grace Satterfield, John Doe Satterfield, her husband; Marie M. Young, Maggie W. Scruggs, widow of J. F. Scruggs, deceased; J. Henry Scruggs, Fannie Park Scruggs, his wife; Richard Francis Scruggs, Dorothy McGuire Scruggs, his wife; William Thomas Scruggs; Unknown Heirs, Devises, Executors, Administrators, and successors in title of W. B. Lenoir, deceased; Scruggs Realty Company, a corporation; individually and as officers, directors, trustees, and stockholders of the Swain Development Company, a corporation in dissolution;

Unknown officers, directors, trustees, stockholders and creditors of the Swain Development Company, a corporation in dissolution; Tarheel Investment Company, a corporation; Myra Taulbee; James Taylor; Bertha Taylor, widow of John M. Taylor, deceased; William I. Taylor; John M. Taylor; Blaine Taylor; Robert Taylor; Murrel Taylor; Thelma Taylor; Vashi Thompson; Town of Murphy, North Carolina, a municipal corporation; J. B. Gray, as Mayor of the Town of Murphy, North Carolina, a municipal corporation; (C. D. Mayfield, W. H. Murray, Noah Lovingood, E. C. Moore, G. W. Ellis, T. W. Axley,) as Commissioners of the Town of Murphy, North Carolina; Lula Ward; Zebulon Weaver, as trustee; May (Mary) Whitcomb Wetmore, Tom Wetmore, her husband; Charles G. Whitcomb; Martha L. Whitcomb, a minor; George G. Whitcomb, Anna Whitcomb, his wife; Willoughby N. Whitcomb, Susie Whitcomb, his wife; Fred B. Whitcomb; Alice Whitcomb, his wife; John Whitcomb; Holbert Whitcomb, Annie Whitcomb, his wife; Edith Augusta (Gussie) Whitcomb; Malvina Winchester Wilson; Frances Winchester; Alice L. Winchester; George Winchester; Elizabeth Winchester; Ada McTaggard Wise, James Wise, her husband; Gertrude Jackson Witt; Woodbury-Mauney Lumber Company, a corporation in dissolution; (W. H. Woodbury, S. Woodbury, T. J. Mauney,) individually and as officers, directors, trustees and stockholders of the Woodbury-Mauney Lumber Company, a corporation in dissolution; Unknown directors, officers, stockholders, and creditors of the Woodbury-Mauney Lumber Company, a corporation in dissolution; Gertrude Woodbury, wife of W. H. Woodbury; Kate Mauney, wife of T. J. Mauney; Della Ballew York, Joe York, her husband; Unknown Heirs, devisees, executives, administrators, and successors in title of Thomas J. Taylor, deceased; Elizabeth Taylor, deceased; Catherine Taylor, deceased; James Taylor, deceased; Andrew Taylor, deceased; David Taylor, Jr., deceased; Wyle P. Taylor, deceased; Mary J. Taylor, deceased; William M. Taylor, deceased; Martha A. Taylor, deceased; John M. Taylor, deceased; Campbell Taylor, deceased; Francis M. Taylor, deceased; David Taylor, deceased; D. E. Ramson, deceased; William M. K. B. Winston, deceased; James J. W. Miller, deceased; Thomas H. Hill, deceased; Hope Berry Payne, deceased; J. B. Brooks, deceased; John A. Green, deceased; Columbus Green, deceased; Susan Timpson, deceased; Bell Stiles, deceased; Josie Stiles, deceased; Charlie Stiles, deceased; Thomas Stiles, deceased; Elmira Johnson, deceased; Bob Hall, deceased; S. S. Ball, deceased; Dorcas S. Ball, deceased; Solomon Ball, deceased; Cynthia E. Hartness, deceased; John Timpson, deceased; John Smith, deceased; William N. Bilbo, deceased; Josiah G. Brown, deceased; Joseph Nash, deceased; Robert Luisk, deceased; John Porterfield, deceased; Richard O. Person, deceased; Rose Colvard, deceased; Addison, S. (Jornagan) Jarnigan, deceased; Milton J. (Jornagan) Jarnigan, deceased; Alfred James, deceased; Margaret James, deceased; and Thomas Cocherham, deceased; Unknown husband of Mary Mount, deceased; Unborn children of John A. Rogers and Lola Hartness James; Unknown officers, directors, stockholders, and creditors of Alleghany Company, a corporation, Alleghany Mining Company, a corporation, and the Alleghany Mining Company of Tennessee, a corporation; UNKNOWN PARTIES IN INTEREST;

Respondents:
ORDER OF PUBLICATION
 In the above styled cause it appeared that the following respondents are not to be found within the State of North Carolina, are non-residents of the State of North Carolina, and their last known addresses are shown opposite their respective names: W. W. Barton, W. R. Green, and Lula Green, Athens, Tennessee; Harry P. Cooper, Rosaline Cooper, and Hester L. Ferguson, Washington, D.C.; Fred Dickey, Hot Springs, Arkansas; Ervin Green and Mrs. Ervin Green, Chattanooga, Tennessee; Mary Ann Rose Payne and L. C. Payne, South Connsville, Pennsylvania; Ethel Rogers Roberts and John Roberts, Bellevue, Georgia; C. E. Suit, Homestead, Florida.

It further appears, after the Marshal's return, that due search has been made, and the following respondents are not to be found within the State of North Carolina, their addresses being unascertained. These respondents are: Alfred Payne, Marion Payne, Rose Payne, Ervin Payne, Lillie Payne, Jane Battle, Lewis Stiles, Mrs. Lewis Stiles, his wife, Ada McTaggard Wise, and James Wise, her husband; that George Green is a non-

compos mentis and service can only be secured upon him by publication.

IT IS, THEREFORE, ORDERED that the above respondents appear on or before the 12th day of August, 1938, in this Court sitting at Asheville, North Carolina, and there make answer to the petition filed in this cause and then and there assert whatever claim, right, title, or interest they may have in the lands herein condemned or be forever barred.

The lands sought to be condemned are as follows, to wit:

TRACT NO. FBR-68
 A tract of land lying in the Shoal Creek Township, and also in the Eighth Civil District of Cherokee County, State of North Carolina, on the left bank of Hiwassee River, approximately 1 1/2 miles northwest of the mouth of Bear Paw Creek, and more particularly described as follows: A tract of land shown on the map of Cherokee County, State of North Carolina, as State Survey No. 44 and a portion of State Survey 46, and more particularly described as follows: Beginning at a point on the Hiwassee River near a 15 inch dead sycamore tree, the southeast corner of State Survey No. 44, and a corner to the land of the Southern States Power Company (an adjoining tract); thence with the Power Company's line N. 84° 00' W., 1680 feet to a stone, a corner of the lands of the Southern States Power Company (an adjoining tract); Joad A. Simonds, and Fulbar Nelson; thence with Nelson's line N. 7° 00' E., 700 feet to a 24 inch red oak tree, a corner of the lands of Fulbar Nelson, and Robert B. Cole; thence with Cole's line N. 1° 00' E., 980 feet to a 20 inch red oak tree, a corner of the land of Robt. B. Cole, and John Floyd; thence with John Floyd's line N. 10° 00' 340 feet to an 18 inch poplar tree, a corner of the land of John Floyd, and Jeff Crain; thence with Crain's line N. 7° 00' E., 860 feet to a 12 inch pine tree; thence N. 49° 00' E., 455 feet to a 2 inch sourwood tree, thence N. 10° 00' E., 460 feet to a 10 inch red oak tree; thence N. 55° 00' W. 315 feet to an 18 inch post oak tree; thence N. 3° 00' E., 1035 feet to a 20 inch chestnut tree, a corner of the lands of Jeff Crain, and the Southern States Power Company (an adjoining tract); thence with the Power Company's line S. 87° 00' E., 7280 feet to a stake on the Hiwassee River; thence with the Hiwassee River as it meanders upstream approximately 9250 feet to the point of beginning, and containing 383.7 acres, more or less.

TRACT FBR-89
 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 1/2 miles northwest of the mouth of Laurel Creek, and more particularly described as follows: A tract of land previously described and conveyed as a portion of Entry No. 1234—Grant No. 15285, and more particularly described as follows: Beginning at a post a corner to the land of the Southern States Power Company (an adjoining tract), and the most southerly point of the tract herein described; thence with the Hiwassee River Power Company's line N. 41° 00' W., 485 feet to an 8 inch hickory tree; thence N. 63° 00' W., 305 feet to a stake a corner of the lands of the Southern States Power Company (an adjoining tract), and T. M. Bates; thence with Bates' line N. 8 deg. 00' E., 645 feet to a stake; thence S. 86 deg. 00' E., 1225 feet to an 8 inch blackjacket tree, a corner of the lands of the T. M. Bates, and the Southern States Power Company (an adjoining tract); thence with the Power Company's line and the top of a ridge as it meanders in a southwesterly direction approximately 1320 feet to the point of beginning, and containing 21.0 acres more or less.

TRACT FBR-90
 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 1/2 miles northwest of the mouth of Laurel Creek and more particularly described as follows: A tract of land previously described and conveyed as portions of Entry No. 2556—Grant No. 2780, State Survey No. 146, and Entry 4348—Grant No. 9647, and more particularly described as follows: Beginning at a 24 inch black oak tree, a corner of the lands of Lester Taylor, and T. M. Bates; thence with Bates' line S. 63° 00' E., 1320 feet to a stake, a corner of the lands of T. M. Bates, and the Southern States Power Company (an adjoining tract); thence with the Power Company's line S. 63° 00' E., 305 feet to an 8 inch hickory tree;

thence S. 41° 00' E., 485 feet to a post on top of a ridge; thence with the top of the ridge as it meanders in a southerly direction approximately 1130 feet to a 10 inch post oak tree; thence continuing with the top of the ridge as it meanders in a southwesterly direction, crossing a public road, approximately 1770 feet to a stake, a corner of the lands of the Southern States Power Company (an adjoining tract), and Tom Lenderman; thence with Lenderman's line N. 39° 00' W., 150 feet to a stake; thence S. 49° 00' W., 270 feet to a stake; thence N. 64° 00' W., 905 feet to a 6 inch ivy tree, a corner of the lands of Tom Lenderman, and D. L. Payne; thence with Payne's line N. 61° 00' W., 1070 feet to a stake, a corner of the lands of D. L. Payne, Walter Einson, and Lester Taylor; thence with Taylor's line N. 27° 00' E., 1000 feet to a stake, a corner of the lands of Lester Taylor, and the Cherokee County (Board of Education); thence with the County's line N. 41° 00' E., 755 feet to a 10 inch beech tree; thence N. 83° 00' W., 199 feet to a 6 inch dogwood stump, a corner of the lands of the Cherokee County (Board of Education), and Lester Taylor; thence with Taylor's line, crossing the public road, N. 28° 00' E., 1155 feet to the point of beginning, and containing 151.0 acres, more or less, which excepts a tract of land owned by the Buck Knob Church (Missionary Baptist) and designated as Tract No. FBR-76, lying within the boundaries of the tract herein described, on the north side of the public road, and containing 0.3 acres, more or less.

TRACT NO. FBR-99
 A tract of land lying in both Murphy and Beaverdam Townships, and also in the Fifth Civil District of Cherokee County, State of North Carolina, on the right bank of the Hiwassee River, at the mouth of Grape Creek, and more particularly described as follows: A tract of land previously described and conveyed as portions of State Surveys Nos. 46 and 47, and more particularly described as follows: Beginning at a small water birch tree at the end of a fence line on the Hiwassee River, described in a previous conveyance as a corner of State Survey No. 46, said birch tree being a corner to the land of the Southern States Power Company (an adjoining tract), and the most southerly point of the tract herein described; thence with the Hiwassee River as it meanders downstream approximately 2960 feet to a stake a corner to the land of the Southern States Power Company (an adjoining tract); thence with the Southern States Power Company's line N. 76° 00' E., 530 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 the Hiwassee River Power Company; thence with the Hiwassee River Power Company's line and the 1465 foot contour as it meanders in a southeasterly and then northeasterly direction approximately 6675 feet to a point at a ridge, a corner of the lands of the Hiwassee River Power Company, and the Southern States Power Company (an adjoining tract); thence with the Southern States Power Company's line, crossing a State Highway, S. 73° 00' E., 110 feet to a point in the center line of Grape Creek at the center of an old bridge; thence with the center line of the creek as it meanders downstream approximately 1495 feet to a point; thence leaving the creek, S. 42° 00' E., 170 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 the Hiwassee River Power Company; thence with the Hiwassee River Power Company's line and the 1465 foot contour as it meanders in a southwesterly direction approximately 3125 feet, crossing the State Highway, to a point in the southwest line of the State Highway, a corner of the lands of the Hiwassee River Power Company, and the Southern States Power Company (an adjoining tract); thence leaving the 1465 foot contour, with the Southern States Power Company's line S. 49° 00' W., 425 feet to the point of beginning, and containing 60.5 acres, more or less, subject to the rights of a State Highway which affects approximately 4.7 acres, and also subject to such rights as may be outstanding in third parties to the McDonald private cemetery.

TRACT NO. FBR-121
 A tract of land lying in Shoal Creek Township, and also in the Eighth Civil District of Cherokee County, State of North Carolina, on the left bank of the Hiwassee River, approximately 1/4 mile downstream from the