

LEGAL NOTICES

NO. 2814. NORTH CAROLINA. CHEROKEE COUNTY. IN THE SUPERIOR COURT. NOTICE OF SALE OF LANDS. Cherokee County and The Town of Murphy.

Against: W. M. Fain and wife, Zelma Fain, and Porter Fain, and W. M. Fain and Porter Fain, partners trading and doing business under the name of W. M. Fain Grocery Company, J. D. Mal-lonee, Trustee, and J. H. Hall, L. E. Bayless, Trustee, and W. W. Killiam, J. D. Mal-lonee, Trustee, and R. H. Mingus, and S. C. Mingus, Charles Carringer, Trustee, and S. D. Mount, J. D. Mal-lonee, Trustee, and Mary E. Deweese, Commercial National Bank of High Point, North Carolina, and Central Trust Company of Charleston, West Virginia, F. O. Christopher, substituted trustee and International Agricultural Corporation, F. O. Chris-topher, Trustee, and C. S. Hanson, E. B. Norvell, Trustee, and Peaslee Gaulbert Corporation, Louisville Pot-tery Company, Musgrave Pencil Company, Monroe Chemical Com-pany, Keystone Bottling Works, Spen-cer Brothers, Paver Canneries Cor-poration, Mulkey Salt Company, Inc., Cadillac Finance Company, Inc., Haz-el Atlas Glass Manufacturing Com-pany, Schoen Brothers, Alpha Port-land Cement Company, Monroe Chemical Company, Louisville Pot-tery Company, Peaslee Gaulbert Cor-poration, Gurney P. Hood, Commis-sioner of Banks and all other per-sons owning or claiming an interest in the lands herein referred to, De-fendants.

By virtue of orders and decrees entered in the above entitled cause by the Clerk of the Superior Court of Cherokee County on Monday, the 27th day of July 1936, and October 11th 1937, the undersigned E. B. Norvell, Commissioner will on Monday, the 19th day of July 1939, at the hour of 10 o'clock A. M. Central time of said day, at the Court-house door in Murphy, offer for sale the lands hereinafter described, to satisfy the requirements set forth in said order and decree which said lands are described as follows:

All the right title and interest of the above named defendants in and to the following pieces, parcels, lots, and tracts of land situate in the Town of Murphy, Murphy Township, Cherokee County and set forth and described in deeds and instruments of writing registered in books in office of Register of Deeds for Cherokee County as follows:

All that certain piece and parcel of land set forth and described in a deed of trust from W. M. Fain and wife to Charles Carringer, Trustee, for S. D. Mount, registered in Book No. 99, page 462.

Also all that certain piece and parcel of land set forth and described in a deed of trust from W. M. Fain and wife to J. D. Mal-lonee, Trustee, for Mary E. Deweese registered in Book No. 94, page 213.

Also all that certain piece and parcel of land set forth and described in a deed of trust from W. M. Fain and wife to J. B. Storey, Trustee for International Agricultural Corporation, registered in Deed Book No. 103, page 97; F. O. Christopher, having been appointed substitute trustee as per instrument recorded in deed book No. 103, page 562.

Also that piece of land embodied in a deed of trust from W. M. Fain and wife to F. O. Christopher, Trustee for C. S. Hasson, which lays fronting on Peachtree Street in the Town of Murphy, and adjoins what is known as the Hyatt lot, and the alley running between the Regal Hotel and the Fain lot, registered in Deed Book No. 109 page 46.

Also that part of a lot set forth and described in a deed of trust in a deed from W. M. Fain and wife, and Porter Fain to E. B. Norvell, Trustee for various creditors, which said lot lays in East Murphy and being the remainder of the lot purchased by W. M. Fain and Porter Fain from P. A. Mauney, Commissioner, which was not sold to C. E. and C. H. Holder, which said Deed of Trust is registered in Deed book 112, page 343.

Also all that certain piece and parcel of land set forth and described in a deed from John E. Fain and wife to W. M. Fain and Porter Fain, registered in the office of the Register of Deeds for Cherokee County in Deed Book 73, page 321.

Also all that piece and parcel of land set forth and described in a deed from P. V. Brittain and others to John E. Fain, registered in the office of the Register of Deeds for Cherokee County in Deed Book 22, page 549.

Also all that certain piece and parcel of land set forth and described in a deed from and decree of the Superior Court for Cherokee County as recorded in the office of the Register of Deeds for Cherokee County in from M. A. Hughes and others in Deed book No. 26, pages 138 and 589.

Also all that certain piece and parcel of land set forth and described in a deed from G. W. Roberts and wife to John E. Fain registered in the office of the Register of Deeds for

Cherokee County in Deed Book 27, page 43.

Also all that certain piece and parcel of land set forth and described in a deed from P. A. Bean to John E. Fain, registered in the office of the Register of Deeds for Cherokee County in Deed Book No. 28, page 462.

Also all that certain piece and parcel of land set forth and described in a deed from J. W. Brittain and others to John E. Fain, registered in the office of the Register of Deeds for Cherokee County in deed book 28, page 463.

Terms of sale cash. Right reserved to reject any or all bids. Sale subject to confirmation by the court.

This the 31 day of May, 1939. E. B. NORVELL, (44-5t-c.co.&t.ofm.) Commissioner.

NORTH CAROLINA. CHEROKEE COUNTY. IN SUPERIOR COURT BEFORE THE CLERK The Town of Murphy, Plaintiff VS

J. C. Townson and wife, Mrs. J. C. Townson, Sudderth Coal Company, Board of Education of Cherokee County, O. C. Shields, and Flora Shields, and Gurney P. Hood, Commissioner of Banks and all other persons owning or claiming an interest in the lands herein referred to, De-fendants.

NOTICE OF SALE OF LANDS

By virtue of a judgment entered in the above entitled cause by the clerk of the Superior Court for Cherokee County on Monday, 29th day of May, 1939, the undersigned Commissioner will on Monday, July 10th, 1939, at 10 o'clock A. M. Central time, at the Court House door in Murphy, Cherokee County, North Carolina, offer for sale and sell at public outcry, the right, title and interest of defendants above named in the following described lands, situate in Murphy, and fully described in deeds recorded in office of Register of Deeds for Cherokee County, in deed books as follows:

A deed from Della Meroney, Ad-ministratrix of J. S. Meroney, regis-tered in Deed Book No. 79, page 56; A deed from Della Meroney, Ad-ministratrix of J. S. Meroney, registered in Deed book No. 81, page 444, to which deeds reference is hereby made for lands. Terms of sale cash. Sale to be confirmed by the Court. This May 31st, 1939. E. B. NORVELL, (44-5t-tofm) Commissioner

In the District Court of the United States for the Western District of North Carolina, No. United States of America upon the relation and for the use of the Tennessee Valley Authority, Petitioner v. Alice L. Palmer, John Palmer, her husband, Ernest B. Farmer, Martha Farmer, his wife; J. Wilburn Farmer, Winnie (Winner) Farmer, his wife; A. E. (Ella) Farmer Dockery; Mark M. Farmer; Frank Farmer, Pauline Farmer, his wife; William J. Johnson, Nelle Johnson, his wife; Fletcher Farmer, Mae Farmer, his wife, said name "Mac" being fictitious and otherwise unknown; Zetta Farmer Hawk, Bill Hawk, her husband said name "Bill" being fictitious and otherwise unknown; Don Farmer, Alice Farmer, his wife, said name "Alice" being fictitious and other-wise unknown; Ross Farmer, Sue Farmer, his wife, said name "Sue" being fictitious and otherwise unknown; Eva Farmer McMullin, John McMullin, her husband, said name "John" being fictitious and otherwise unknown; Jack Farmer; Harry Farmer Rodlands; Clifford Rogers; Kate Rogers; W. K. Johnson; Lon A. Hunsucker; Norvell E. Hunsucker, Un-known Heirs, Devises, Executors, Administrators, Creditors, and Suc-cessors in title of Leora Cofield, W. P. Farmer, Josephine Davidson, Eva Brittain, Sam F. Farmer, and Belle Rogers, Unknown parties in interest. Respondents. Order of Publication. In the above styled cause it appeared that the following respondents are all nonresidents of the State of North Carolina, and their present address or their last known address is shown after their respective names. These respondents are: Alice L. Palmer and John Palmer, her husband, Irvine-Sub-Station, Dallas, Texas; Ernest B. Farmer and Martha Farmer, his wife, Dallas, Texas; J. Wilburn Farmer and Winnie (Win-ner) Farmer, his wife, R. P. D. 2, Whitewright, Texas; A. E. (Ella) Farmer Dockery, 1000 Nolte Drive, Dallas, Texas; Mark M. Farmer, Terrell, Texas; Frank Farmer and Pauline Farmer, his wife, Goose Creek, Texas; Fletcher Farmer and Mae Farmer, his wife, said name "Mae" being fictitious and otherwise unknown, care of Mayday Mine, Durango, Col-orado; Zetta Farmer Hawk and Bill Hawk, her husband, said name "Bill" being fictitious and otherwise un-known, 1135 Hill Avenue, Grand Junction, Colorado; Don Farmer and Alice Farmer, his wife, said name "Alice" being fictitious and otherwise unknown, 125 West White Avenue, Grand Junction, Colorado; Ross Far-mer and Sue Farmer, his wife, said name "Sue" being fictitious and otherwise unknown, 1135 Hill Ave-nue, Grand Junction, Colorado; Eva

Farmer McMullin and John McMullin, her husband, said name "John" being fictitious and otherwise unknown, Apartment 10, 1401 West Eleventh Place, Los Angeles, California; Jack Farmer, 895 South Avenue, Grand Junction, Colorado; Harry Farmer Rodlands, R. F. D. 3, Grand Junction, Colorado; W. K. Johnson, Athens, Tennessee; Clifford Rogers and Kate Rogers, whose address is unascertained after diligent search and inquiry; the unknown heirs, devisees, execu-tors, administrators, creditors, and successors in title of Leora Cofield, W. P. Farmer, Josephine Davidson, Eva Brittain, Sam F. Farmer, and Belle Rogers; and all unknown parties in interest whose names, ages, and addresses are unascertained after diligent search and inquiry. IT IS, THEREFORE, ORDERED that the above respondents appear on or be-fore the 1 day of July, 1939, in this Court sitting at Asheville, North Car-olina, and there make answer to the petition filed in this cause and assert whatever right, title, claim, or inter-est they might have in the land here-in sought to be condemned, or be forever barred. The land sought to be condemned is, to wit: TRACT FBR 347. A portion of a tract of land ly-ing in State Survey Tract No. 35, in Murphy Township of Cherokee County, State of North Carolina, on the right side of the Hiwassee River, approximately 1/2 mile northeast of the mouth of Hanging Dog Creek, and more particularly described as follows: Beginning at the southeast corner of State Survey Tract No. 35, a corner of the lands of the Eastern Band of Cherokee Indians, Mrs. U. S. Johnson, and W. J. Johnson; thence with W. J. Johnson's line N. 86-29' W., 530 feet to a point on the east bank of Hanging Dog Creek, a corner of the lands of W. J. Johnson, and N. E. Dockery; thence with N. E. Dockery's line and the east bank of the creek as it meanders upstream approximately 450 feet to a stake; thence N. 30-00' W., 765 feet to a point; thence with a severance line N. 56-00' E., approximately 350 feet to a point; thence S. 52-09' E., ap-proximately 235 feet to a point; thence N. 61-30' E., 455 feet to a point in the Eastern Band of Chero-kee Indians' line; thence with the Eastern Band of Cherokee Indians' line S. 4-19' W., 1370 feet to the point of beginning, and containing 18.0 acres, more or less, subject to the condemnées' rights of access over the existing farm roads which ex-tend from the northern boundary line of the land herein described to the relocation of the Joe Brown Highway. It is further ordered that this notice be published once a week for four (4) consecutive weeks in the Chero-kee Scout, a weekly newspaper pub-lished in Murphy, North Carolina. Done this 30 day of May, 1939. E. Y. Webb, Judge. A true copy test: J. Y. Jordan, Clerk. By: O. L. Mc-Lurd, Deputy Clerk. (45-4t-tva)

In the District Court of the United States for the Western District of North Carolina, No. 109, United States of America upon the relation and for the use of the Tennessee Valley Authority, Petitioner v. W. M. Fain, Zelma Fain, his wife; Callie Hall, John H. Hall, her husband; Bessie Deweese, Mary Deweese Crawford, Frank Crawford, her husband; Fannie Deweese; Virginia Deweese Gentry, Maurice Gentry, her husband; Ruth Deweese Nichols, a minor, Ernest Nichols, her husband; Paver Canneries, Incorporated, P. C. Hyatt, Cadillac Finance Company, Incorporated, G. T. Whitlock, Hazel-Atlas Glass Company, a corporation, Schoen Brothers, Incorporated, Louisville Pottery Company, a corporation, L. C. Hill, as administrator of the estate of C. B. Hill, deceased, J. E. Keener, Peaslee-Gaulbert Corporation, Alpha Portland Cement Company, a corporation, J. D. Mal-lonee, as trustee for the Duke Land & Improvement Company, a corpora-tion, Duke Land & Improvement Company, a corporation, R. Moody, as trustee for John H. Hall, John H. Hall, Will Rogers, Cherokee County, North Carolina, a political subdivision of the State of North Carolina, Town of Murphy, North Carolina, a municipal corporation; J. C. Townson, Eliza Townson, his wife; Unknown parties in interest. Respondents. Order of publication. In the above styled cause it appeared that the following respondents are all nonresidents of the State of North Carolina, and are not to be found within the State of North Carolina, their addresses being shown after their respective names. These respondents are: Mary Deweese Crawford, Isabella, Tennessee; Frank Crawford, her husband, Isabella, Tennessee; Paver Canneries, Incor-porated, 435 West Ontario, Chicago, Illinois; Cadillac Finance Company, a corporation, Cadillac, Wexford County, Michigan; Hazel-Atlas Glass Company, Fifteenth & Jacobs Streets, Wheeling, West Virginia; Schoen Brothers, Incorporated, Atlanta, Georgia; Louisville Pottery Com-pany, a corporation, 228 East Bloom Street, Louisville, Kentucky; Peas-lee-Gaulbert Corporation, 226 North Fifteenth Street, Louisville, Ken-tucky; Alpha Portland Cement Com-pany, 15 South Third Street, Easton, Pennsylvania; Duke Land & Improve-ment Company, a corporation,

Ernest Nichols, Mineral Bluff, Geor-gia; and all unknown parties in in-terest. IT IS, THEREFORE, OR-DERED that the above respondents appear on or before the 22 day of June, 1939, in this Court sitting at Asheville, North Carolina, and make answer to the petition filed in the above styled cause, and then and there assert whatever right, claim, title, or interest that they may have in the land herein condemned or to be forever barred. The land condemned is, to wit: TRACT FBR 55. A tract of land lying in the Town of Mur-phy, in Cherokee County, State of North Carolina, on the right bank of the Valley River, approximately 1100 feet northwest of the Valley River, Avenue Bridge across the Valley River, and more particularly described as follows: Beginning at a stake on the Valley River, a corner to the land of R. V. Wells, and the most westerly point of the tract herein described; thence with R. V. Wells' line N. 15-00' E., 50 feet to a monument (HR 55-1; HR 41-3; Co-ordinates: N. 526,790; E. 495,273) on the south line of Walnut Street; thence with the south line of Walnut Street: S. 85-20' E., 208 feet to a fence corner marked by a monument (HR 55-2; HR 311-2; Coordinates: N. 526,773; E. 495,489) a corner to the land of the Town of Murphy; thence with the line of the land of the Town of Murphy, and with a fence line, S. 11-00' W., 96 feet to a stake on the Valley River; thence with the Valley River as it meanders downstream approximately 212 feet to the point of beginning, and con-taining 0.38 acres, more or less. Note: The coordinates and bearings given in the above description are for the North Carolina State Coordinate System, Lambert Projection, as established by the United States Coast & Geodetic Survey. The origin for this coordinate system is at Latitude 33-45' N., Longitude 79-00' W., and has been assigned a value of x=2,600,000; y=0. TRACT FBR 283. A tract of land lying in the Town of Murphy, in Cherokee County, State of North Carolina, on the left side of the Hiwassee River, approximately 1250 feet southeast of the U. S. Highway No. 64 Bridge across the Hiwassee River at the Town of Mur-phy, and more particularly described as follows: Beginning at a stake on the west line of Hiwassee Street, a corner to the land of T. S. Evans, and the most southeasterly point of the tract herein described; thence with T. S. Evans' line S. 86-30' W., 115 feet to a point in the northeast right of way line of the L. & N. Railroad, thence with the northeast right of way line of the L. & N. Railroad in a northwesterly direction approximat-ely 7 feet to a monument (HR 283-2; Coordinates: N. 523, 038; E. 494, 050) in a fence line, a corner to the land of J. C. Townson; thence, leav-ing the right of way, and with J. C. Townson's line and with a fence line N. 45-00' E., 13 feet to a mon-ument (HR 283-3; Coordinates: N. 523, 047; E. 494, 059); thence, leav-ing the fence line, N. 51-10' E., 157 feet to a monument (HR 283-4; Co-ordinates: N. 523, 146; E. 494, 182) in the west line of Hiwassee Street; thence with the west line of Hiwassee Street in a southerly direction ap-proximately 116 feet to the point of beginning, and containing 0.18 acres, more or less. Note: the coordinates and bearings given in the above de-scription are for the North Carolina State Coordinate System, Lambert Projection, as established by the United States Coast and Geodetic Survey. The origin for this coordi-nate system is at Latitude 33-45' N., Longitude 79-00' W., and has been assigned a value of x=2,000,000; y=0. It is further ordered that this notice be published once a week for four (4) consecutive weeks in the Cherokee Scout, a weekly newspaper published at Murphy, North Carolina. Done at Shelby, North Carolina, this 22 day of April, 1939. E. Y. WEBB, Judge, United States District Court, Western District of North Carolina. A True Copy Test, J. Y. Jordan, Clerk. By: O. L. McLurd, Deputy Clerk. (43-4t-tva)

In the District Court Of the United States For The Western District of North Carolina, No. United States of America, upon the relation and for the use of the Tennessee Valley Authority, Petitioner, v. G. W. (Gery) Martin, Annie Martin, his wife; Ed Martin; Ifford Scoggins, Lucille Scoggins, his wife; Clifford Scoggins; Ed Scoggins; Lou Bell Taylor, W. J. (Jake) Taylor, her husband; Edythe Carlton, William R. Car-ton, her husband; H. H. (Harrison) McDonald, individually and as Guardian of Maggie Irene McDonald Dula, Lillian Lyda McDonald, Grady Clif-ford McDonald, and James E. Ray McDonald, minors; Bonnie Elizabeth McDonald Decker, Wade Decker, her husband; Vestia Edith Gusta McDon-ald Stiles, Hayes Stiles, her husband; Lawton Oskar McDonald; Maggie Irene McDonald Dula, a minor, Grandin Dula, her husband; Lillian Lyda McDonald, a minor; Grady Clifford McDonald, a minor; James E. Ray McDonald, a minor; Southern States Power Company, a corporation, Res-pondents. ORDER OF PUBLICA-TION. In the above styled cause it appeared that the following respon-

dents are all non-residents of the State of North Carolina, and are not to be found within the State of North Carolina, and reside at the addresses shown after their respective names. These respondents are G. W. (Gery) Martin, Annie Martin, his wife, and Ed Martin, Madisonville, Tennessee, Ifford Scoggins, Lucille Scoggins, his wife, Clifford Scoggins, and Ed Scog-gins, Klammath Falls, Oregon, Edythe Carlton and William R. Carlton, her husband, 118 North Keeler Avenue, Chicago, Illinois. It is, Further OR-DERED that the above respondents appear on or before the 5 day of July, 1939, in this Court sitting at Asheville, North Carolina, and then and there make answer to the peti-tion filed in this cause and assert whatever right, title, claim, or inter-est they may have in the land herein shown to be condemned, or be forever barred. The land sought to be con-demned is to wit: TRACT FBR-23. A tract of land lying in Beaversdam 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 southeast of the mouth of Beaver Dam Creek, and more partic-ularly described as follows: Beginning at a 10 inch post oak tree at the top of a ridge, a corner of the lands of the Southern States Power Company, and W. G. Odum; thence with W. G. Odum's line and the top of the ridge as it meanders in a southeasterly di-rection approximately 2525 feet to a 10 inch black oak tree, a corner of the lands of W. G. Odum, and James Hall; thence with James Hall's line S. 31-00' E., 460 feet to an 8 inch black oak tree at the top of a ridge; thence, with the top of the ridge as it meanders in a southeasterly direc-tion approximately 510 feet to a 10 inch marked pine tree; thence with a severance line S. 12-00' E., approxi-mately 880 feet to a point; thence S. 53-00' E., approximately 829 feet to a point; thence S. 8-00' W., 875 feet to a point in J. R. Taylor's line; thence with J. R. Taylor's line N. 73-00' W., 1060 feet to a point at an elevation of 1465 feet above mean sea level, a corner of the lands of J. R. Taylor, and the J. M. Martin Heirs & the Southern States Power Company, thence with the Martin Heirs & the Power Company's line and the 1465 foot contour as it meanders in a northwesterly direction approximat-ely 3175 feet to a point, a corner of the lands of the J. M. Martin Heirs & the Southern States Power Company and the Southern States Power Com-pany; thence with the Power Com-pany's line, due north 2875 feet to the point of beginning, and containing 121.5 acres, more or less. It is further ordered that this notice be pub-lished once a week for four (4) con-secutive weeks in the Cherokee Scout, a weekly newspaper published in Mur-phy, North Carolina. Done this 3 day of June, 1939. E. Y. WEBB, Judge. A True copy Test, J. Y. Jordan, Clerk. By: O. L. McLurd, Chief Deputy Clerk. (45-4t-tva)

ADMINISTRATOR NOTICE Having qualified as administrator of the estate of Frank S. Hill, de-ceased, late of Cherokee County, North Carolina, this is to notify all persons having claims against the estate of said deceased, to exhibit them to the undersigned Bryson City, N. C., on or before the 15th day of June, 1940, or this notice will be pleaded in bar of their recovery. All per-sons indebted to said estate will please make immediate payment. This the 15th day of June, 1939. S. W. BLACK, Administrator of the estate of Frank S. Hill (46-6t-swb) deceased.

Louis Gallo of Cleveland, who once said he preferred prison in this country to freedom in Italy, has been sentenced to 16 months in the peni-tentiary on a liquor law violation charge.

Get gummed paper at Scout of-fice.

Office supplies for sale at the Scout office.

USE THE CLASSIFIED ADS IT PAYS TO ADVERTISE

ALL YOUR DRUG NEEDS PATENT MEDICINES ICE CREAM FOUNTAIN SERVICE CANDY—TOBACCO MAGAZINES Prescriptions Filled Accurately

CUT RATE PHARMACY J. W. (Bill) Adams

WANT-ADS ARE Cheap!