

LEGAL NOTICES

In the District Court of the United States for the Western District of North Carolina, Asheville Division Civil Action No. 41. United States of America, Plaintiff, vs- J. A. Timpon and wife, Emma Timpon, William Dockery and wife, Nellie Dockery, R. J. Dockery and wife, Core Dockery, Ora Coleman and husband, George Coleman, Julia Ashe and husband, A. J. Ashe, B. H. Dockery and wife Mary Dockery, Defendants. ORDER OF PUBLICATION. In the above styled cause it having appeared that B. H. Dockery and wife, Mary Dockery, are not to be found in the State of North Carolina or in the Western District thereof, and their respective residences are unknown, it is ordered that the above named defendants appear on the 17th day of July, 1939, in this Court, sitting at Asheville, North Carolina, and then and there make answer to the petition filed in this cause, and assert whatever right, title, claim, or interest they may have in the land described in the complaint filed in this action, which action is a suit instituted by the United States of America, plaintiff, against the above named defendants and others, for the purpose of determining the title and boundaries of the following described and bounded real estate, viz: That certain tract or parcel of land, lying in District 5, Cherokee County, North Carolina, and bounded and more particularly described as follows: BEGINNING on a post the N. W. cor. of Tract No. 9 and the N. E. cor. of No. 2 of the U. S. survey, from which a white oak 15" dia. bears N. 61 E. 42 links dist.; and a B. oak 12" dia. bears S. 9 W. 30 links distant; thence E. 160 poles to a post oak on top of hill N. E. cor. of No. 9, thence N. passing N. W. cor. of No. 2 at 80 poles, reaching corner at 439 poles (fallen), set a post from which a sassafras 12" dia. bears N. 30 E. 22 links dist., and a chestnut 11" dia. bears N. 77 W. 30 links distant; thence W. crossing turnpike road at 124 poles, total distance 160 poles, to corner 3 (set a post), from which a red oak 10" dia. bears S. 74 E. 15 links dist., and a pine 12" dia. bears N. 19 E. 25 links dist.; thence S. re-crossing turnpike road at 70 poles, reaching the beginning at 439 poles, containing four hundred and thirty-nine acres; being the 8th tract described in that certain deed from Wm. Johnston, et al., to the Commissioner of Indian Affairs of the United States, dated August 14, 1880, and recorded in the Office of the Register of Deeds of Cherokee County, North Carolina, in Book E. page 28, et seq., on November 1, 1880, said deed being known as the "Siobald Deed"; being also the same land and premises described as tracts 45, 46, and 47, in that certain deed from Wm. Johnston, et al., to the Commissioner of Indian Affairs, as trustee for the Eastern Band of Cherokee Indians, dated October 9, 1876, and recorded in the Office of the Register of Deeds of Cherokee County in Book 81, page 562, on July 28, 1923. The actual boundaries of said tract of land have been surveyed, located, and marked upon the ground. Reference is made to the said deeds and to the General Land Office Survey for specific description thereof. 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 this 13th day of June, 1939. E. Y. Webb, United States District Judge, for the Western District of North Carolina. (47-4t-ned)

In the District Court of the United States for the Western District of North Carolina. No. 110. United States of America upon the relation and for the use of the Tennessee Valley Authority, Petitioner v. 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 Whitcomb; Lou Bell Whitcomb Hoe, Homer Hoe, her husband; Charles W. Whitcomb, Frances Whitcomb, his wife; Martha Liberty Whitcomb, a minor, W. A. Adams, as Guardian of Martha Liberty Whitcomb, a minor; May Whitcomb Wetmore, Tom Wetmore, her husband; Charles Dickey, Mary Dickey, his wife, Respondents. ORDER OF PUBLICATION. In the above styled cause it appeared that the following respondents 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 George G. Whitcomb, Anna Whitcomb, his wife, Fred B. Whitcomb, Alice Whitcomb, his wife, John Whitcomb, Holbert Whitcomb, Annie Whitcomb, his wife, Edith Augusta Whitcomb, Charles W. Whitcomb, and Frances Whitcomb, his wife, Harlan, Kentucky, Willoughby N. Whitcomb and Susie Whitcomb, Harriman, Tennessee; Lou Bell Whitcomb Hoe and Homer Hoe, Middiesboro, Kentucky; Martha Liberty Whitcomb, a minor, 510 East Fourth Street, Chattanooga, Tennessee; and May Whitcomb Wetmore and Tom Wetmore, Little River, South Caro-

People and Spots in the Late News



LOU AINT BLUE . . . Flashing the dappled smile that endeared him to millions of fans in the 15 years he was breaking all baseball records for durability, Lou Gehrig (left), assures Manager Joe McCarthy of the Yankees that he'll still be in uniform daily the rest of this season, though chronic infantile paralysis has written finis to his great diamond career.

FOR SHORT TRANSPORT . . .

Here's new "four-door sedan" twin-engine transport plane designed for smaller passenger air lines of country, which made its test flight at Burbank, Calif. Twin engines, side by side in nose of the plane and driving a single propeller, push the low-wing all-metal plane to top speed of 210 miles an hour.



A BEACH 'BALL' . . . It's Lucille Ball of the films, recuperating from an appendicitis operation and managing, at the same time, to demonstrate latest modes in beachwear, a satin swim suit with all-over tiny flower pattern, and a sunproof hat.



ABLUTIONS A LA MODERNE . . . Saturday nights hold no terrors for youngsters in this age of splash-proof shower bath rooms. Striking evidence of the progress since the washtub-next-to-the-kitchen-stove days is this ultramodern shower enclosed with fluted glass and equipped with chromium fixtures, featured at the Golden Gate exposition.



ROOM FOR ONE MORE? . . . Parisians and Parisiennes are "ordering their bomb shelters now." Here are two visitors to the National Security Exposition in Paris trying out one of the portable "two-passenger" bomb-proof huts.



URGES TAX REPEAL . . . Discriminatory taxes tend to depress realty values, Benjamin J. O'Reilly, president of Real Estate Association of State of New York, said at Niagara Falls as he signed petition of New York group asking National Association of Real Estate Boards to endorse campaign for repeal of all chain store taxes.

lina. IT IS, THEREFORE, ORDERED that the above respondents appear on or before the 10th day of August, 1939, in this Court sitting at Asheville, North Carolina, and then and there make answer filed in this Court and assert whatever right, title, claim, or interest they may have in the land affected by this condemnation proceeding, or otherwise be barred. The land affected in this proceeding is to-wit: TRACT NO. HTR-7 A strip of land for a road right of way lying on each side of the center line of the location of "Hiwassee Dam-Anderson Road", through the land of the Mollie I. Whitcomb Heirs, in the Fifth Civil District of Cherokee County, North Carolina, as shown on a map filed in the Recorder's office of Cherokee County, on the West side of the Hiwassee River, the center line of the location and the various widths of the strip through the land of the Mollie I. Whitcomb Heirs being more particularly described as follows: Beginning at a point where the center line crosses the East line of the Mollie I. Whitcomb Heirs' land, which is the West line of Tennessee Valley Authority Tract FBR-3 (Southern States Power Company), at survey station 28 + 71.3 on the center line of the location, said point being S. 2° 00' E., 58.0 feet from a corner of the lands of the Mollie I. Whitcomb heirs, the Manly Patterson Heirs, and the above mentioned tract FBR-3, the strip at point of beginning being bounded on the South side by a line that is 25 feet from and parallel to the center line, and being bounded on the North side by the Manly Patterson Heirs' Southeast line extending on a bearing of N. 53° 30' E.; thence S. 81° 14' 20" W., 35.4 feet to the P. C. of a 100 Degree Curve to the left at survey station 29 + 06.7; thence, with the 100 Degree Curve to the left, in a Westerly direction, 25.3 feet to survey station 29 + 32 (approximate) where the strip continues to be bounded on the Southeast side by a line that is 25 feet from and parallel to the center line, and where the strip ceases to be bounded on the Northwest side by the Southeast line of the Manly Patterson Heirs' land and becomes

bounded by a line that is 25 feet from and parallel to the center line; thence, continuing with the 100 Degree Curve to the left, in a Southwesterly direction, 31.2 feet to the P. T. of the curve at survey station 29 + 63.2; thence S. 24° 41' 50" W., 30.3 feet to the P. C. of a 100 Degree Curve to the right at survey station 29 + 93.5; thence, with the 100 Degree Curve to the right, in a Southerly direction, 26.8 feet to the P. T. of the curve at survey station 30 + 20.3; thence S. 51° 28' 50" W., 18.5 feet to the P. C. of a 100 Degree Curve to the left at survey station 30 + 38.8; thence, with the 100 Degree Curve to the left, in a Southwesterly direction, 97.4 feet to the P. T. of the curve at survey station 31 + 36.2; thence S. 45° 57' 40" E., 78.4 feet to the P. C. of a 12 Degree Curve to the right at survey station 32 + 14.6; thence, with the 12 Degree Curve to the right, in a Southeasterly direction, 104.9 feet to a point where the center line crosses the Southeast line of the Mollie I. Whitcomb Heirs' land, which is the Northwest line of Tennessee Valley Authority Tract FBR 72 (Mollie I. Whitcomb Heirs), at survey station 33 + 19.5, said point being S. 54° 00' W., 16.22 feet from a corner of the lands of the Mollie I. Whitcomb Heirs, the hereinabove mentioned tract FBR 3, Tennessee Valley Authority Tract FBR 2 (Southern States Power Company), and the above mentioned tract FBR 72. The above described strip of land is a continuous right of way through said property between the above mentioned East and Southeast property lines, and contains 0.5 acres, more or less. 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 in 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. (50-4t-tva)

Mollie Francis Rogers, his wife; Patrick Claiborn Rogers, Mattie Rogers, his wife; Stonewall (Stoney) Rogers; Emily Rogers Grigry (Gregory); Thomas Wheeler Rogers, Mary Etta Rogers, his wife, Respondents. ORDER OF PUBLICATION. In the above styled cause it appeared that the following respondents are all non-residents of the State of North Carolina, and are not to be found within the State of North Carolina, and their present address or their last known address is shown after their respective names. These respondents are: Martha Malissa Rogers, Ardmore, Oklahoma; Ancil Sidney Rogers and Mollie Francis Rogers, his wife, Ardmore, Oklahoma; Patrick Claiborn Rogers and Mattie Rogers, his wife, Ardmore, Oklahoma; Stonewall (Stoney) Rogers, Ardmore, Oklahoma; Emily Rogers Grigry (Gregory), Ardmore, Oklahoma; and Thomas Wheeler Rogers and Mary Etta Rogers, his wife, Ardmore, Oklahoma. IT IS, THEREFORE, ORDERED that the above respondents appear on or before the 7th day of August, 1939, in this Court sitting at Asheville, North Carolina, and there make answer to the petition filed in this cause and assert whatever right, title, claim, or interest they might have in the land herein sought to be condemned, or be forever barred. The land sought to be condemned is, to-wit: TRACT FBR 418; A tract of land lying in State Survey Tract No. 26, in Murphy Township, and in the Third Civil District of Cherokee County, State of North Carolina, on the right side of the Nottley River, approximately 2 1/4

miles south of its mouth, and more particularly described as follows: Beginning at an iron pipe at the southeast corner of State Survey Tract No. 19, a corner of the lands of J. A. Rogers et ux., J. O. Haney, and J. H. Crisp & Fannie Dockery, and the northeast corner point of the tract herein described; thence with J. H. Crisp & Fannie Dockery's line S. 15° 00' W., 415 feet to an iron pipe, a corner common to a tract of land owned by J. H. Crisp & Fannie Dockery, and a tract owned by Stanley & Cody Clayton, Fannie Dockery, & J. H. Crisp; thence with the line of the land of Stanley & Cody Clayton, Fannie Dockery, & J. H. Crisp N. 50° 00' W., 300 feet to an iron pin, a corner common to a tract of land owned by Stanley & Cody Clayton, Fannie Dockery, & J. H. Crisp, and a tract of land owned by Jake Rogers; thence with Jake Rogers' line N. 54° 00' W., 473 feet to an iron pin, a corner of the lands of Jake Rogers, and J. A. Rogers et ux.; thence with J. A. Rogers' line S. 85° 00' E., 70 feet to the point of beginning, and containing 3.4 acres, more or less. 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 in Murphy, North Carolina. DONE this 1st day of July, 1939. E. Y. Webb, Judge. A true copy test, J. Y. Jordan, Clerk. By: W. A. Lytle, Deputy Clerk. (50-4t-tva)

ADMINISTRATRIX NOTICE
Having qualified as Executrix and Administratrix of the estate of the late N. E. Dockery, deceased, late of Cherokee County, North Carolina, this is to notify all persons having claims against the estate of the said deceased to exhibit them to the undersigned at Murphy, N. C. on or before the 6th day of July, 1940, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment.
This 6th day of July, 1939.
Mrs. Emma Dockery, Administratrix of the estate of N. E. Dockery, Deceased.

ADMINISTRATOR NOTICE
Having qualified as administrator of the estate of Frank S. Hill, deceased, 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 persons 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 deceased. (46-6t-swb)

UNAKA NEWS

Mr. and Mrs. James Harrell returned Wednesday from a pleasant visit to friends and relatives in Johnsonville, Tenn. and Gilbertsville, Ky.
Mr. and Mrs. Glen Cole of Hiwassee Dam were visitors here Tuesday of last week.
Mrs. J. W. Odom and daughter, Claudia, were the guests of Mrs. Grant Phillips Sunday afternoon.
Bass Burrell of Hiwassee was the guest of Wm. Roberts Saturday.
Mr. and Mrs. Edgar Farmer returned to Struthers, Ohio, Thursday, after spending several days with relatives here.
Mr. and Mrs. W. S. McClure of Akron, Ohio visited relatives here last week.
Mr. and Mrs. O. Laugaard of Hiwassee Dam attended the concert here Saturday night.

HANGINGDOG NEWS

Rev. Thomas Truett filled his regular appointment at the Hangingdog church Sunday.
We are all sorry to learn that Mr. and Mrs. Onard Clark's daughter, Mildred had the misfortune of getting her arm broken Thursday, July 6.
Marion Ramsey was the Sunday guest of Homer Mulkey.
Billy and Jack Kephart were the Sunday dinner guests of Homer and Vernon Brockman.
Those visiting Mr. and Mrs. Ross Hensley Sunday were: Mrs. Tom McDonald, Mrs. Sarah Brockman and Mrs. Glenn Palmer and children.
Mr. and Mrs. Dewey Kephart and children were visitors near Marble Sunday.
Mrs. Etta Clay was the Sunday guest of Mrs. Rollin McDonald.

It Pays To Advertise

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Breath Offends?

Bad breath is sometimes due to bad teeth; often caused by sluggish bowels. To neglect it may invite a host of constipation's other discomforts; headaches, biliousness, loss of energy or appetite. Take spicy, all-vegetable BLACK-DRAUGHT tonight. This intestinal tonic-laxative tones lazy bowel muscles; cleanses gently, promptly, thoroughly by simple directions. Try BLACK-DRAUGHT, the time-tested laxative.