

LEGAL MATTERS

NORTH CAROLINA—Cherokee County—In the Superior Court. Pearl City Veneer Company, now doing business as Pearl City Plywood Company, Incorporated, a Corporation,

vs. Tri-County Lumber Company, and Mercantile Trust & Deposit Company, of Baltimore, and Joseph R. Walker, Trustee.

By virtue of a judgment of the Superior Court of Cherokee County, entered in the action entitled as above, now pending in said Court, and pursuant to the authority therein contained, the undersigned as Commissioners of said Court, will, for the purpose of satisfying and complying with the provisions of said judgment, offer for sale, at public auction, for cash, on Monday, August 24th, 1931, at eleven o'clock A. M., Central Standard Time, at the Court House door, Murphy, N. C., the following described property:

All those certain sixteen hundred (1,600) Yellow Poplar Trees, each branded and inscribed with the letter "P" in designation of the trees included under this conveyance, located principally on the headwaters of the Tellico River and on Hanging Dog Creek and coves adjacent thereto, and standing and being upon: to-wit:

ALL THOSE CERTAIN tracts, pieces or parcels of land, described in a Deed from W. S. Whiting and wife to Cherokee Timber Company, dated January 9th, A. D., 1915, and recorded in the office of the Register of Deeds for Cherokee County North Carolina, in Deed Book 29, page 98, on the waters of Tellico River and Hanging Dog and Beaver Dam Creeks, in District No. 5, more particularly described as follows:

FIRST TRACT

BEGINNING at a Hickory standing on the East side of a ridge North 70 East about thirty (30) poles from Steel Trap Gap, being the original Southwest Corner of Entry No. 4264 and in the line of Entry No. 1121; and running thence with the Western line of said Entry No. 4264, North 25 East, One hundred and Eighty-five (185) poles to a Chestnut, its Northwest Corner, and also a corner of Entry No. 6644; thence East with the Northern line of said Entry No. 4264 Ninety-three (93) poles to a Black Oak, its Northeast Corner; thence with the Eastern line of said Entry No. 4264, South 25 West One Hundred and Eighty-five (185) poles to a Chestnut Oak, its Southeast Corner and the Southwest Corner of Entry No. 6910; thence with the Southern line of said Entry No. 6910, East One Hundred and Fifty-four (154) poles to a stake in the line of Entry No. 6470; thence with the Western line of said Entry No. 6470, North 10 East, Thirty-eight (38) poles to a stake, its North West Corner, also Southwest corner of Entry No. 6471; thence with the line between Entries No. 6470 and 6471, North 85 East sixty-one (61) poles to a Chestnut Oak, the Northeast corner of Entry No. 6470; thence with the Eastern line of said last named Entry, South 10 West, forty-one (41) poles to the line of said Entry No. 6910; thence East with the line of said Entry No. 6910, eighty-nine (89) poles to a Black Oak, its South East corner; thence still with the line of said last named Entry, North 40 East, 240 poles to a Beech, another corner of said Entry; thence still with its line, North 20 West, Sixty (60) poles to a Chestnut, another corner of said Entry No. 6910; thence still with its line North 70 West, Fifty-two (52) poles to a White Oak, another corner of said Entry; thence still with its line North twenty (20) poles to a White Oak and Maple, a corner of Entry No. 6411; thence with the line between Entries Nos. 6411 and 2090 on one side, and Entry No. 6910 on the other, West Two Hundred and Eighty-five (285) poles to a Black Oak, the beginning corner of Entry No. 6910 and a corner of said Entry No. 6644; thence with the Eastern line of said Entry No. 6644, North 8 1/2 West, two hundred and seventy-five (275) poles to a Chestnut, near the Cold Spring, a corner of said Entry No. 6644, and also a corner of Entry No. 1691; thence with the Eastern line of said Entry No. 1691, North 20 West, Sixty-five (65) poles to a White Oak, the Northeast corner of said last named Entry, and also a corner of Entry No. 6508; thence with the line of said Entry No. 6908, North twenty-nine (29) poles to the line of said Entry No. 105, thence with the line of said Entry No. 105, South 70 West, forty (40) poles to a Chestnut, the Southwest corner of said Entry No. 105, and a corner of said Entry No. 6908; thence with the line of said Entry No. 105, North 15 West, passing a White Oak, the Northeast corner of said Entry No. 6908 (also corner of Entry No. 2091) at One Hundred and Eighty-two (182) poles, whole distance One Hundred and Ninety-two (192) poles to a large mountain oak, on the line between the Counties of Cherokee and Graham; thence with the said County line the following courses and distances: North 62 West, Nineteen and one-half (19 1/2) poles, North 13 West, fifty (50) poles, North 21 East Fifty-one and three-quarter (51 3/4) poles, North 27 1/2

West, Fifty-two and three-fourths (52 3/4) poles, North 6 East, Thirty (30) poles to a Locust stake in the line of Entry No. 1315; thence leaving said County line and running with the line of said Entry No. 1315, North 30 West, One Hundred and thirty-five (135) poles to a Chestnut a corner of said Entry No. 1315, and a corner of Entries Nos. 6909 and 2091; thence with the line of said Entry No. 1315, North 60 East, twenty-six (26) poles to the three forked Chestnuts, the Southeast corner of said Entry No. 6909, also the Southwest corner of Entry No. 6594; thence with the line of said Entry No. 6594; North 30 West, One Hundred and Seventy-five (175) poles to a Chestnut in the line of Entry No. 1322, a corner of said Entry No. 6594; thence with the line of said Entry No. 1322, South 65 West, Eighty-two (82) poles to its Southwest corner; thence with the Western line of said Entry No. 1322, North 25 West, One Hundred and Ten (110) poles to the Beginning corner of Entry No. 7749; in the line of tract No. 639; thence South 65 West, Thirty-four and One-fourth (34 1/4) poles to a Beech; thence South, Ninety-three and One-half (93 1/2) poles to a Stone on top of Peckerwood Ridge; thence South 62 West, Eighty-six and One-half (86 1/2) poles to a large Water Oak on top of said ridge; thence North 85 West, twenty-five (25) poles to a Stone on top of said ridge marked with the letter "F"; thence North 62 West One Hundred and Eighty (180) poles to a Birch on the line between the States of North Carolina and Tennessee; thence with said State Line the following courses and distances: South Sixty-one West Ten and one-half (10 1/2) poles, South 32 1/2 West, twenty-five and three-fourths (25 3/4) poles, South 56 1/2 West, twenty-two (22) poles, South 45 1/2 West fourteen (14) poles, South 37 1/2 West, twenty-eight and three-fourths (28 3/4) poles, South 27 West, twenty-three and one-half (23 1/2) poles, South 55 West, twelve and three (12 3/4) poles, South 87 West, Eighteen and one-fourth (18 1/4) poles, South 64 West, twenty-four and one-half (24 1/2) poles, North 88 West, twenty-one and one-half (21 1/2) poles, South 56 West, eight and three fourths (8 3/4) poles, South 30 1/2 West, twenty-four and one-fourth (24 1/4) poles, South 49 West, nine (9) poles, South 30 1/2 West, twenty-six (26) poles, South 30 1/2 East, twelve and one-half (12 1/2) poles, South 6 East, sixteen and one-half (16 1/2) poles, South 56 1/2 West, twenty-six and one-half (26 1/2) poles South 48 West, thirty-four and one-half (34 1/2) poles, South 55 1/2 West, seven and one-half (7 1/2) poles, West thirteen and one-half (13 1/2) poles, South 57 1/2 West, forty-nine and one half (49 1/2) poles, North 83 1/2 West, twenty-one and one-half (21 1/2) poles, South 68 1/2 West, twenty-seven (27) poles, South 81 1/2 West, twenty-nine (29) poles, South 74 West, twenty and one-half (20 1/2) poles, South 57 West, thirty-six and one-half (36 1/2) poles, South 59 1/2 West thirty-eight (38) poles, South 70 West, seventeen and one-half (17 1/2) poles, South 65 1/2 West, nineteen (19) poles, South 71 1/2 West, One hundred and sixteen (116) poles, South 54 West, twenty-two (22) poles, South 17 1/2 West thirty-nine (39) poles, and South 68 1/2 West, fifty-two (52) poles to the Tellico River, about three (3) poles above the mouth of Rough Ridge Creek; thence leaving said State line and running up said River as it meanders (the direction between terminals being due East), One hundred and Eighty (180) poles to a stake; thence South 20 West, two hundred and seventy (270) poles to a Chestnut; thence South 52 1/2 West, seventy-six (76) poles to a stake in the line of Entry No. 1310; thence with the line of said Entry No. 1310, South 50 East seven (7) poles to a Chestnut Oak, the Northwest corner of Pre-emption No. 563; thence with the line between said Pre-emption No. 563, and Entry No. 1310, South 50 East, Ninety (90) poles to a Hickory in the Tipton Gap, the North East corner of said Pre-emption No. 563 and the Southeast corner of said Entry No. 1310, and also a corner of Entry No. 1352; thence with the line of said Pre-emption No. 563, South one hundred and ninety-two (192) poles, to a Spanish Oak, corner of said Pre-emption No. 563 and also a corner of Entries Nos. 8443 and 8309; thence with the line of said Entry No. 8309, South 54 West, Sixty-two (62) poles to a Black Gum, a corner of said last named Entry, and also a corner of Entry No. 8443; thence with another line of said Entry No. 8309, West ten (10) poles to a rock, supposed to be the Northeast corner of Entry No. 4396; thence with what is supposed to be the Eastern line of said Entry No. 4396, South 23 West, one hundred and sixteen (116) poles to a White Oak (now a stake), the supposed Southeast corner of said Entry Number 4396, and in the line of Tract No. 258; thence with the line of Tract No. 258, East ten (10) poles to its Northeast corner, also a corner of Entry No. 8443; thence with the Eastern line of said Tract No. 258, South 15 West, seventy (70) poles to a small Maple, the Southwest corner of said Entry No. 8443; thence with the line of Tract No. 115 East, seventy (70) poles to a Chestnut in the line of Pre-emption No. 562; thence with the line of

said last named Pre-emption, North 20 West, thirty-four (34) poles to a hickory and Chestnut Oak (Hickory down, Chestnut Oak standing), at the Northwest corner of said Pre-emption No. 562; thence with another line of said Pre-emption No. 562, North 50 East one hundred and eighty (180) poles to a Chestnut, its Northeast corner, also Northwest corner of Pre-emption No. 472; thence with the line of said Pre-emption No. 472, North 60 East, One Hundred and Eighty (180) poles to its Northeast corner; thence with another line of said Pre-emption No. 472, South 20 East, sixty-seven (67) poles to a stake in the line of Entry No. 921; thence with the line of said last named Entry, South 65 East, Two Hundred and Eighteen (218) poles to a stake in the line of Entry No. 2299; thence with that line North fifty (50) poles to a stake, the Southwest corner of Pre-emption No. 253, and the Southeast corner of Entry No. 4398; thence with the Southern line of said last named Entry, West ninety (90) poles to its Southwest corner; thence with its Western line North One hundred and Five (105) poles to a stake in the line of Entry No. 4403 near a beautiful spring; thence with the line of said last named Entry, South 75 West, twenty poles to a Spanish Oak, its Southwest corner; thence with the Western line of said Entry No. 4403, North 15 West, sixty-five (65) poles to a Service tree a corner of said Entry No. 8443, and near the Southeast corner of Pre-emption No. 582; thence North 85 West, with the Southern line of said Pre-emption No. 582, One Hundred and Ninety-two (192) poles to a Spanish Oak (now Chestnut) its Southwest corner; thence with the Western line of said Pre-emption No. 582, North 5 East, ninety (90) poles to a Spanish Oak, its Northwest corner, also the beginning corner of Pre-emption No. 269; thence with the Northern line of said Pre-emption No. 582, South 85 East One Hundred and fifty-nine (159) poles to a Chestnut Oak in the line of said Entry No. 4403; thence with the Western line of Entries Nos. 4403 and 4402 North 15 West, Four Hundred and Eighty-five poles to a Spanish Oak, the Northwest corner of said Entry No. 4402; thence with the Northern line of said Entry No. 4402, North 75 East, three hundred and eighty (380) poles to a Hemlock, its Northeast corner; thence with the Eastern line of said Entry No. 4402, South 15 East two hundred and forty-two (242) poles to a Lynn, its Southeast corner; thence with the Southern line of said Entry No. 4402, South 75 West, One hundred and forty (140) poles to a Chestnut, the Northeast corner of said Entry No. 4403; thence with the Eastern line of said last named Entry South 15 East, four hundred (400) poles to a Stone and Black Oak, its Southeast corner, also a corner of Entry No. 8442; thence with the line of said Entry No. 8442, South 35 East, eighty-one (81) poles to a small White Oak near Dead Tree Gap and in the line of Entry No. 2299; thence with the Northern line of said last named Entry, East One Hundred and thirty-nine (139) poles to a Chestnut, its Northeast corner, also the Southeast corner of Entry No. 8244, and a corner of Entry No. 6911; thence South with the Eastern line of said Entry No. 2299, three hundred and ten (310) poles to an Ash (now a Hemlock), its Southeast corner; thence West with the Southern line of said Entry No. 2299, two hundred and sixty (260) poles to a Chestnut, in the line of Entry No. 6912; thence with the Western line of said Entry No. 6912, South forty (40) poles to a Chestnut, its Southwest corner; thence with the Southern line of said Entry No. 6912, East four hundred (400) poles to a Chestnut, its southeast corner, also the Southwest corner of said Entry No. 6911; thence with the Southern line of said Entry No. 6911, North 70 East, One Hundred and sixty (160) poles to a Chestnut and dogwood, the Northwest corner of Entry No. 6913; thence with the Western line of said last named Entry, South 20 East, sixty-three (63) poles to its Southwest corner; thence with the Southern line of said Entry No. 6913; North 70 East, Ninety (90) poles to a Stake in the line of Entry No. 1121; thence with the Southern line of said Entry No. 1121, West forty-five (45) poles to its Southwest corner; thence with the Western line of said Entry No. 1121, North, Sixty-three (63) poles to its Northwest corner; thence with the Northern line of said Entry No. 1121, East, thirty-eight (38) poles to the Beginning. Containing Seven Thousand One Hundred and Forty-six and Seven-tenths Acres, more or less.

SECOND TRACT

BEGINNING, at a stake in the line of the "First Tract", hereinafter described, South 20 West, One hundred and Ninety-five (195) poles from the South bank of Tellico River, at the point where the Northern line of Pre-emption No. 591 (or 581, figures on record not clear) is supposed to cross the line of said "First Tract," and runs thence 80 West, sixty-five (65) poles to a Stake; supposed to be the Northwest corner of said Pre-emption No. 581; thence South 10 East, ninety-five (95) poles to a Stake in the line of said First Tract; thence with the line of said

First Tract, North 52 1/2 East twenty-six (26) poles to a Chestnut; thence still with the line of said First Tract, North 20 East, Seventy-five (75) poles to the Beginning. Containing 23.7 acres more or less, and being a part of the land covered by Grant No. 1312, issued by the State of North Carolina to Joshua Harshaw upon Pre-emption No. 581, said Grant being dated November 10th, 1852, and Registered in the office of the Register of Deeds for Cherokee County, in Book "F" of Deeds at pages 94 and 95.

THIRD TRACT

Being the land covered by Grant No. 1304, issued by the State of North Carolina to Joshua Harshaw, upon Pre-emption No. 560, said Grant being dated November 10th, 1852, and Registered in said Register's office for Cherokee County in Book "F" of Deeds at pages 93 and 94, said tract of land being in said Grant described as follows: BEGINNING on a large Poplar and runs East Ninety (90) poles to a Chestnut Oak; thence South One hundred and Eighty (180) poles to a large Hickory; thence West ninety (90) poles to a Stake; thence North (180) poles to the Beginning. Containing 100 (One Hundred) acres more or less.

FOURTH TRACT

BEGINNING on a Stake in the Western line of Pre-emption No. 560, the third tract above described, sixty (60) poles North of the Southwest corner of said Tract, and running thence with the Western line of said Pre-emption No. 560, North sixty-seven (67) poles to a Stake; thence South 52 1/2 West, Seventy-one (71) poles to a Stake in the line of Entry No. 8309; thence with the line of said Entry No. 8309, South 69 East, Sixty five (65) poles to the beginning, containing 12 acres more or less, and being a portion of Entry No. 8469, Granted by the State of North Carolina to Oliver Lovingood, Assigned by State Grant No. 16181, dated January 27th, 1904, and Registered in said Register's Office for Cherokee County in Book No. 12 of Deeds, at page 264.

FIFTH TRACT

BEGINNING on a White Oak, the Eastern corner of Tract No. 98, in the forks of a branch, and running thence North 45 East, One Hundred and Thirty-two (132) poles to a Chestnut Oak in the line of Pre-emption No. 559; thence with the Southern line of said Pre-emption No. 559, South 60 East, Eighty (80) poles to a Fallen White Oak, the Southeast corner of said Pre-emption; thence with the Eastern line of said Pre-emption, North 20 East, One Hundred and Eighty-five (185) poles to a Hickory, its Northeast corner; thence with the Northern line of said Pre-emption No. 559, North 60 West Eighty (80) poles to a stake in the State Line, in Sled Runner Gap; thence with the State Line the following courses and distances: South 11 East, thirty-four and one-fourth (34 1/4) poles, South 71 West, forty-one (41) poles, North 60 West, thirty (30) poles, North 81 West, Eighty-five and one-fourth (85 1/4) poles, North 48 West, Seventy-two and three-fourths (72 3/4) poles, North 62 1/2 West, Thirty-four and One-fourth (34 1/4) poles and North 49 West, Thirty-two (32) poles to a Locust in a Gap, the Northeast corner of Entry No. 2072; thence leaving the State Line and running with the Eastern line of said Entry No. 2072, South Two Hundred and twenty (220) poles to a Stake in the line of said Tract No. 98; thence with the line of said last named tract South 45 East, One Hundred and Forty-two (142) poles to the Beginning. Containing Three Hundred and Sixty (360) acres, more or less. And being all of said Pre-emption No. 559, which lies in the State of North Carolina, and a part of Entry No. 2195; said Pre-emption No. 559 having been granted by the State of North Carolina to Joshua Harshaw by Grant No. 1303, dated November 10th, 1852, and Registered in said Register's Office for Cherokee County in Book "F" of Deeds, on page 92, and said Entry No. 2195 having been granted by the State of North Carolina to Joshua Harshaw by Grant No. 3263, dated January 17th, 1870, and registered in said Register's office for Cherokee County, in Book "M" of Deeds, on page 266. EXCEPTING, however, therefrom and thereout the lands excepted and reserved by the deed aforesaid. Each of the said trees being over Sixteen (16) inches in diameter and averaging from sixteen hundred (1600) to eighteen hundred (1800) feet per tree, and being at the date hereof standing and growing Yellow Poplar Trees, and estimated to contain in the aggregate at least Two Million Five Hundred Thousand (2,500,000) feet. Together with the right, liberty and privilege of ingress, egress and regress for the purpose of cutting, logging and removing the said trees and doing all other acts and things which may be necessary for the party of the second part to cut, log and remove the trees aforesaid. This sale is subject to confirmation of court, and security satisfactory to the Commissioners will be required of the last and highest bidder to secure compliance with the terms of sale. This July 16th, 1931. R. M. MOOPY, DONALD WITHERSPOON, Commissioners. (50-4t)

NOTICE OF SALE

Under and by virtue of the power of sale contained in a certain deed of trust dated May 27th, 1930, made by Robert Rindeleub to the undersigned trustee, recorded in the office of Register of Deeds for Cherokee County, North Carolina, in Book 103 at page 57 et sep., default having been made in the payment of the indebtedness thereby secured, the undersigned will on the 3rd day of Aug., 1931, at 11:00 o'clock A. M., at the courthouse door in Murphy, North Carolina, (Central Standard Time) offer for sale to the highest bidder for cash the following described real estate conveyed in said deed of trust to-wit: Beginning at a stake on the west side of the street leading from Tennessee street to the depot of the Southern Railway in the town of Murphy, a corner to a lot formerly owned by A. W. Axley and now owned by T. J. Sword and running with the line of said Sword lot to the right of way of the Southern Railway; thence with the line of said right of way to a stake on the northwest side of said depot street, thence with said street to the beginning containing seven eighths of an acre more or less. This June 30th, 1931. FRANK S. HILL, Trustee.

NOTICE OF SALE OF VALUABLE REAL ESTATE

Under and by virtue of a certain deed of trust, made, executed and delivered by W. E. Robinson and wife, Arrie Robinson, to D. H. Tillitt, Trustee, dated July 6th, 1927, and recorded in the office of the Register of Deeds for Cherokee County, N. C., in Book No. 90 page 279, default having been made in the payment of the indebtedness thereby secured and demand for sale in order to satisfy said indebtedness having been made by the holder of the same, I, D. H. Tillitt, Trustee, will on the seventh day of August, 1931, at 10:15 o'clock A. M. (Murphy Time) at the court house door of Cherokee County, N. C., offer for sale to the highest bidder for cash the following described property: Being a part of tract No. 37 in Valleytown Township, Cherokee County, North Carolina, and within the corporate limits of the Town of Andrews. Beginning on a stake, the northeast corner of lot No. 8, of the Well & Boyd Addition to the Town of Andrews, and runs East 564 feet to a stake in the old mountain road; thence in a Southward direction with the meanders of said road to a stake in the line of M. S. Matheson; thence West with the lines of M. S. Matheson and Dr. F. L. Herbert 460 feet to a stake, the Southeast corner of the J. R. Leach property; thence North 140 feet to a stake in an alley; thence East 125 feet to a stake; thence North 100 feet to a stake; thence West 200 feet to a stake, the Southeast corner of lot No. 8; thence North 150 feet to the point of beginning. The same being known as the W. E. Robinson home place. Dated and posted this the 6th day of July, 1931. D. H. TILLITT, Trustee. (49-4t.dht)

NOTICE OF SALE OF VALUABLE REAL ESTATE

Under and by virtue of a certain deed of trust made, executed and delivered by W. B. Fisher and wife, Leila Fisher, to D. H. Tillitt, Trustee, dated May 15th, 1929, and recorded in the office of the Register of Deeds for Cherokee County, N. C., in book No. 101 page 425, default having been made in the payment of the indebtedness thereby secured and demand for sale in order to satisfy said indebtedness having been made by the holder of the same, I, D. H. Tillitt, Trustee, will on the 7th day of August, 1931 at 10 o'clock A. M. (Murphy Time) at the court house door of Cherokee County, N. C., offer for sale to the highest bidder for cash the following described property: Being a portion of tract No. 98 in district No. 6. And being two lots Nos. 12 and 13 in Block "B" of the proposed subdivision of W. B. Fisher. And particularly described as follows: Beginning on a proposed street to be known as "Fisher Street" and one hundred feet removed from the East line of E. A. Holland; from thence binding said proposed "Fisher Street" in an Eastwardly direction a distance of 100 feet to a stake; thence at right angles in a Southwardly direction and parallel with the East line of said E. A. Holland a distance of 150 feet to a stake; thence at right angles in a Westwardly direction and parallel with the said proposed street a distance of 100 feet which is 100 feet removed from the East line of the lands of E. A. Holland; from thence at right angles in a Northwardly direction and parallel with the line of said E. A. Holland and 100 feet removed from the same to the first station. Being a lot of land 100 feet fronting on Fisher Street and extending back a distance of 150 feet. And being the same lot or tract or piece of land upon which the said W. B. Fisher and wife are now constructing a home. Dated and posted this the 6th day of July, 1931. D. H. TILLITT, Trustee. (49-4t.dht)