

LEGLALS

COMMISSIONER'S SALE

Pursuant to the authority vested in him by judgment of the Superior Court of Hoke County, North Carolina, in the civil action therein pending entitled "The Commercial National Bank of Charlotte, Reconstruction Finance Corporation and C. D. Taliaferro, Trustee, Plaintiff vs. White-Tex Mills Inc., Troy Whitehead, The United States of America, and Eugene G. Shaw, Commissioner of Revenue for the State of North Carolina, Defendants", the undersigned Commissioner will expose for sale at public auction to the highest bidder for cash at the door of the office of the mill building located upon the real estate hereinafter described, in or near the Town of Raeford in Hoke County, North Carolina at 12 o'clock noon on the 3rd day of October, 1949, all the following described real estate and tangible personal property, being and including the land, mill buildings, tenements and tangible personal property owned by White-Tex Mills, Inc. located partly within, and partly without, the corporate limits of the Town of Raeford, Hoke County, State of North Carolina, to-wit:

REAL ESTATE

First Tract

BEGINNING at the N. S. Blue corner in the middle of the Aberdeen and Rockfish Railroad track where a ditch, which is a dividing line between the Edinboro and the Phillip McRae tracts of land crosses said railroad, and runs thence with the center of the railroad track N 63 deg. W 31.10 chains to an old ditch; thence with the ditch to a turn, and beyond the same, N 11 1-2 deg. E 11 chains to a stake in the edge of a field; thence N 54 deg. W 11 chains to a stake; thence N 26 deg. E 5.27 chains to the Turnpike Road, oak stump and small pine pointers; thence with the road, N 71 deg. E 4.50 chains to the corner of a tract of land sold by M. W. Dew to the Raeford Power and Manufacturing Company; thence with the line of that tract S 65 deg. E 15.80 chains to a stake in a branch, the N. S. Blue and Jennette Rhodes corner; thence with the Rhodes old line S 1 1-2 deg. E 10.80 chains to a stake near the edge of an old field, Oak pointers; thence S 68 deg. E 5.35 chains to a corner, oak pointers; thence to the BEGINNING; containing 50 acres, more or less; and being the same tract conveyed to the Raeford Power and Manufacturing Company by M. D. Bethune and wife, Eliza Bethune, to Marcus W. Dew, by deed dated December 23, 1903, and registered in Book V-5, at page 177, Cumberland County, and which was thereafter conveyed to the Raeford Power and Manufacturing Company by Marcus W. Dew and wife, Kittie Dew, by deed dated February 28th, 1906, and duly registered in Book G-6 of Deeds, at page 53, Cumberland County Registry.

THIRD TRACT

BEGINNING At a stake, a corner of C. B. Rhodes' and the Raeford Power and Manufacturing Company's land just where the new street leading north from the Raeford Power and Manufacturing Company's plant commences, and runs about northwest with the old Bethune line 11 chains to a branch; thence with the branch nearly east 6 chains to the new street above mentioned; thence nearly south with the new street 14 chains to the starting point; containing 3 1-6th acres; and being the same land conveyed to the Raeford Power and Manufacturing Company by C. B. Rhodes and wife, Jennette Rhodes, by deed dated December 22, 1906, and duly registered in Book J-6 of Deeds at page 329, Cumberland County Registry.

FOURTH TRACT

BEGINNING At a stake, D. A. Maxwell's northwest corner in the line of poles for the electric pump, and runs as Maxwell's line S 55 deg. E 3 chains and 34 links to an iron bar, Maxwell's other corner; thence as his other line S 22 deg. W 3 chains and 19 links to his other corner in the old line; thence as it S 66 1-2 deg. E 2 chains and 4 links to a stake and pointers, the old corner; thence the other line S 21 1-2 deg. E 5 chains and 7 links to a stake in the Bay; thence N 19 deg. E 18 chains and 46 links to a stake and pointers in Blue's line; thence as it W 8 chains and 23 links to a stake in the pole line; thence S 24 deg. W along with the line of poles 7 chains and 68 links to the BEGINNING; containing 10 1-4 acres, more or less; and being the same land conveyed to the Raeford Power and Manufacturing Company by C. B. Rhodes and wife, Jennette Rhodes, by deed dated October 18th, 1907, and registered in Book N-6 of

Deeds, at page 231, Cumberland County Registry.

FIFTH TRACT

Adjoining the land of the Raeford Power and Manufacturing Company on the northwestern edge of the Town of Raeford, bounded as follows: BEGINNING At a stake, the junction of two streets, and runs nearly north with the margin of a new street 210 feet; thence nearly east 210 feet; thence nearly south 210 feet to the new street running east and west; thence with said street 210 feet to the BEGINNING; being one of the two adjoining lots conveyed to T. R. Williams by D. A. Maxwell and wife, Charlotte Maxwell, by deed dated November 7th, 1913, and registered in Book 13 of Deeds, at page 245, Hoke County Registry; and being also the same lot described as First Tract in that certain deed from T. R. Williams and wife, Willie Williams, to the Raeford Power and Manufacturing Company, dated January 5th, 1916, and duly registered in Book 17 of Deeds, at page 107, Hoke County Registry.

SIXTH TRACT

Adjoining the Fifth Tract above described, and BEGINNING at Maxwell's south corner, and runs with the fence N 67 1-2 deg. W 1 chains and 2 links to the corner; thence with the fence again N 49 1-2 deg. W 2 chains and 32 links to the other corner; thence S 55 1-2 deg. E 3 chains and 30 links direct to the BEGINNING; being one of the two adjoining lots conveyed to T. R. Williams by D. A. Maxwell and wife, Charlotte Maxwell, by deed dated November 7th, 1913, and registered in Book 13 of Deeds, at page 245, Hoke County Registry; and being also the same lot described as Second Tract in that certain deed from T. R. Williams and wife, Willie Williams, to the Raeford Power and Manufacturing Company, dated January 5th, 1916, and duly registered in Book 17 of Deeds, at page 107, Hoke County Registry.

SEVENTH TRACT

All that certain lot of land in the Town of Raeford, which is shown, located and described as Lot No. Thirty (30) on that certain map of Block No. 1 of the Property of J. W. Moore made by J. McI. Johnson, Surveyor, and duly recorded in the office of the Register of Deeds of Cumberland County on May 12th, 1908, in Book P-6 of Deeds, at page 340, to which map reference is hereby made for greater certainty of description. Said lot is located at the northwest corner of the intersection of Green Street and Prospect Avenue and fronts 50 feet on the north side of Prospect Avenue and 150 feet on the west side of Green Street, and is the same lot which was conveyed to the Raeford Power and Manufacturing Company by H. C. Adcock and wife, Meta Adcock, by deed dated July 5th, 1919, and duly registered in Book 33 of Deeds, at page 24, Hoke County Registry.

EIGHTH TRACT

A certain lot of land in the Town of Raeford composed of those two adjoining lots which are shown, located and described as Lots Nos. Thirty-six (36) and Thirty-seven (37) on that certain map of Block No. 1 of the Property of J. W. Moore made by J. McI. Johnson, Surveyor, and duly recorded in the office of the Register of Deeds of Cumberland County on May 12th, 1908, in Book P-6 of Deeds, at page 340, to which map reference is hereby made for greater certainty of description. Lot No. 36 fronts 50 feet on the north side of Prospect Avenue and extends back from said street in a northern direction for a depth of 200 feet; Lot No. 37 fronts 54 feet on the north side of Prospect Avenue, and is bounded on the east by Lot No. 36 and on the west by a ditch running in a northeast direction, so that the lot runs almost to a point at the north end; and these two lots are the same lots which were conveyed to the Raeford Power and Manufacturing Company by H. C. Adcock and wife, Meta Adcock, by deed dated October 8th, 1919, and registered in Book 25 of Deeds, at page 271, Hoke County Registry.

NINTH TRACT

Being Lots Nos. Thirty-four (34), Thirty-five (35), and Forty-six (46) of Block No. 1 of the property of J. W. Moore, as shown located and described upon that certain plat thereof made by J. McI. Johnson, Surveyor, which was duly recorded in the office

of the Register of Deeds of Cumberland County on May 12th, 1908 in Book P-6 of Deeds, at page 340, to which map reference is hereby made for greater certainty of description, and which are further described as follows:

(a) Lots 34 and 35. BEGINNING At a stake in the north edge of Prospect Avenue, J. W. Moore's corner, and runs thence with Prospect Avenue West 100 feet to a stake; thence North 200 feet to a ditch; thence East 100 feet; thence South 200 feet to the BEGINNING.

(b) Lot 46. Situated on the north side of Prospect Avenue and BEGINNING at a ditch at the crossing of said ditch with Prospect Avenue, and runs as said ditch in a northeasterly course 206 feet to the B. F. Moore's line; thence west with Moore's line to another ditch; thence in a southerly direction with said ditch to Prospect Avenue; thence east with said Avenue to the BEGINNING.

The lots composing this Ninth Tract were conveyed to the Raeford Power and Manufacturing Company by John W. Moore and wife, Mary L. Moore, by deed dated August 13th, 1919, and registered in Book 25 of Deeds, at page 297, Hoke County Registry.

TENTH TRACT

Those twelve lots conveyed to the Raeford Power and Manufacturing Company by C. W. Seate and wife, Lollie E. Seate, by deed dated the day of January, 1917, and registered in Book 16 of Deeds, at page 178, Hoke County Registry. Said twelve lots are Lots Nos. One Hundred Seventy-four (174), One Hundred Seventy-five (175), One Hundred Eighty-three (183), One Hundred Eighty-four (184), One Hundred Eighty-five (185), One Hundred Eighty-six (186), One Hundred Eighty-seven (187), One Hundred Eighty-eight (188), One Hundred Eighty-nine (189), One Hundred Ninety (190), One Hundred Ninety-seven (197), and Two Hundred (200), of that certain residential subdivision in the Town of Raeford known as Raeford Heights, as shown, located, and described upon that certain plat thereof made by Purcell and Wetmore, Engineers, and registered in the office of the Register of Deeds of Hoke County in Plat Book No. 1, at page 80, to which map reference is hereby made for greater certainty of description. By inadvertence, Lot No. 189 was not described by lot number in the deed from C. W. Seate and wife to the Raeford Power and Manufacturing Company dated April 20th, 1920, and registered in Book 28 of Deeds, at page 409, Hoke County Registry. These twelve lots are further described as follows:

(a) BEGINNING At a stake in the north edge of Sixth Avenue a corner of the Morgan Mills land, and runs thence as that land N 19 deg. E 166 feet to a stake, Mrs. Prevatte's corner; thence as her line S 71 deg. E 57 feet to a stake in the line of another tract of the Morgan Mills land; thence as their line S 19 deg. W 146.5 feet to a stake in the north edge of Sixth Avenue; thence as the edge of Sixth Avenue west 60 feet to the BEGINNING; containing 1-10's of an acre, more or less; and being the same tract of land which was conveyed to Raeford Mills, Incorporated, by Mrs. Martha Curran, widow, (a daughter of T. H. Tyson and his wife, Mary E. Tyson, who acquired title to the land by deed from M. C. Clippard), by deed dated January 2-3, 1946, and duly registered in Book 85 of Deeds, at page 59, Hoke County Registry.

(b) BEGINNING At a stake in the line of the Morgan Mills lot also being the northwest corner of land deeded by Mrs. Prevatte to Mrs. Currie on the 19th day of April, 1940, and runs as said Mills' line N 19 deg. E 365 feet to Sander's corner; thence as his line east 60 feet to another corner of the said Mills property; thence as its line S. 19 deg. W 384.5 feet to Mrs. Currie's line; thence as her line N 71 deg. W 57 feet to the BEGINNING; containing 1-2 acre more or less; and being the same lot which was conveyed to Raeford Mills, Incorporated, by Mrs. Mary Belle Prevatte and her husband, Angus Prevatte (Mrs. Prevatte being a daughter of T. H. Tyson and his wife, Mary E. Tyson) by deed dated December 26th, 1945, and duly registered in Book 85 of Deeds, at page 58, Hoke County Registry.

The first ten tracts of land above described are the same lands which were conveyed to Raeford Mills, Incorporated, by Edwin Morgan and his wife, Elsie Morgan, by deed dated October 2nd, 1939, and duly registered in the office of the Register of Deeds of Hoke County in Book 69 of Deeds at page 618, to which

reference is hereby made for further description. The foregoing and above described real estate will be sold subject to the following matters, exceptions, easements and outstanding rights, to-wit:

1. The first tract above described is situated on the North side of the Aberdeen and Rockfish Railroad, which Railroad acquired and now owns a right of way extending for 60 feet on each side from the center line of its track as granted to it by M. D. Bethune by deed recorded in Book U-5 of deeds at page 529 in the Office of the Register of Deeds for Cumberland County, North Carolina.

2. Such state of facts as a current accurate survey and inspection of the premises would disclose.

3. Easements granted to the Town of Raeford by Raeford Power and Manufacturing Company by deed recorded in Book 28 of Deeds at page 398 in the office of the Register of Deeds for Hoke County, North Carolina and which affects the first tract hereinbefore described.

4. The rights reserved by Raeford Power and Manufacturing Company in two deeds to Raeford Cotton Mills Company, which is recorded in Book 29 at page 523 in the office of the Register of Deeds for Hoke County, N. C. due upon the aforesaid real estate for the purpose of repairing any and all electrical appliances and equipment.

5. The rights, if any, of those entitled thereto to use tract No. 10 hereinbefore described, as a street.

6. An outstanding one-third undivided interest in the above described tract No. 11.

7. Rights of way and easements granted by White-Tex Mills, Inc. to Carolina Power and Light Company to construct, maintain and operate an electrical distribution system in the mill village as set forth in the deed recorded in Book 88, page 331, in the office of the Register of Deeds of Hoke County, North Carolina.

PERSONAL PROPERTY Also such of the following described articles and items of machinery, equipment and other articles of tangible personal property as may be located in and upon the aforesaid real estate upon the date of sale, to-wit:

1 Kitson Breaker and Finisher, Serial No. 299; 1 Kitson Breaker (only), Serial No. 4926; 1 Pettee Card, Serial No. 3448, Shop No. 2; 1 Pettee Card, Serial No. 3447, Shop No. 24; 1 Pettee Card, Serial No. 4643, Shop No. 64; 1 Pettee Card, Serial No. 3971, Shop No. 15; 1 Pettee Card, Serial No. 3445, Shop No. 22; 1 Pettee Card, 3580, Shop No. 3; 1 Pettee Card, Serial No. 3572, Shop No. 2; 1 Pettee Card, Serial No. 3341, Shop No. 136; 1 Pettee Card, Serial No. 3491, Shop No. 15; 1 Pettee Card, Serial No. 3579, Shop No. 8; 18 Delivery Saco-Petee Drawing Serial No. 2474; 6 Delivery Saco-Petee Drawing, Serial No. 2056; 1 H. and B. Long Draft Slubber, Shop No. 3; 1 H. and B. Long Draft Slubber, Shop No. 4; 1 H. and B. Long Draft Slubber, Shop No. 5; 1 Woosocket Slubber 10 x 5, Serial No. 15824; 1 Woosocket Slubber 8 x 3 1-2, Serial No. 15321; 1 Woosocket Slubber 8 x 3 1-2, Serial No. 13566; 1 Whittin Comber, Serial No. D2-5455; 1 Whittin Comber, Serial No. D2-5859; 1 Whittin Comber, Serial No., D2-5784; 1 Whittin Comber, Serial No. D2-6709; 1 Whittin Comber, Serial No. D2-6700; 1 Whittin Comber, Serial No. D2-6909; 1 Whittin Comber, Serial No. D2-5868; 1 H. and B. conditioner, 1 102 Foster Winder, Serial No. 382K; 1 Whittin Spinning Frame 240 Spindles; 1 Whittin Spinning Frame, Shop No. 142; 1 Whittin Spinning Frame, Shop No. 141; 1 Whittin Spinning Frame, Shop No. 140; 1 Whittin Spinning Frame Shop No. 93; 1 Whittin Spinning Frame, Shop No. 186; 1 Whittin Spinning Frame, Shop No. 143; 1 Whittin Spinning Frame, Shop No. 187; 1 Whittin Spinning Frame, Shop No. 188; 1 Whittin Spinning Frame, Shop No. 138; 1 Whittin Spinning Frame, Shop No. 94; 1 Compressor - Gardner 1 x D-21; 1 Compressor - Ingersoll-Rand 12 x 3, Serial No. 53367; 1 Lathe HD - W. P. Davis; 1 Hack Saw - Murrel, Serial No. 2; 1 HD Drill Press - Hamilton Floor type; 1 Set Double Grinder; 1 Bench Grinder - Stanley, Serial No. G-5837G; 1 Gear cutting machine - Whittin; 1 Lathe - Best - L. Bland, Serial No. 15, 1 Oak 16 1/2" S swivel chair, 1

straight chair, 1 Mahogany desk-typewriter, 1 Mahogany table, 1 Stenographer's chair, 1 Underwood typewriter, 1 Hat tree, 1 Metal shelf, 1 Shaw-Walker file safe cabinet No. 550240, 1 Table, 1 Metal Stenographer's chair, 1 Hat Tree, 1 Oak Stenographer's desk, 1 Underwood typewriter, 1 Oak Steno. chair, 1 straight chair, 1 straight cane bottom chair, 1 straight chair, 1 Sundstrand 10-key adding Machine, 1 Marchant calculator ACRM-123697, 1 Printing calculator, 1 Oak Table, 1 Check writer - Todd Protector-graph, 2 New 4 drawer filing cabinets - metal, 2 old 4 drawer filing cabinets - metal, 1 card metal box - small, 1 Executive's mahogany desk, 1 Executive's swivel chair, 1 Leather straight chair, 1 Straight chair, 1 pen set, 1 Straight chair, 1 Oak Steno. desk.

1 Kitson Picker, No. 4926; 11 Pettee Cards bearing Serial Nos. 4222, 3970, 4208, 3496, 3331, 3490, 3494, 4182, 3495, 3533, and 3492. 10 Whittin Combers bearing Serial Nos. D2-6711, D2-6666, D2-6794, D2-6633, D2-6702, D2-6747, D2-6782, D2-6827, D2-6829 and D2-6664.

1 Whittin Model E. Silver Lap Machine, Serial No. 1158; 1 Whittin Ribbon Lap Machine, 1 H. and B. Long Draft 10 x 5 Slubbers.

4 Saco-Petee Drawing Frames with 6 deliveries each and bearing serial Nos. 2055-1, 2055-2 3056-3, and 2056-4.

1 Set of Card Grinders.

1 No. 2 Aldrich Condenser; 1 Superior Cleaner-Cent. Air Machine Co.; 1 Pettee Card, Serial No. 3444, Shop No. 21; 1 Pettee Card, Serial No. 3497, Shop No. 18; 1 Pettee Card, Serial No. 3430, Shop No. 119; 1 Pettee Crad, Serial No. 4181, Shop No. 31; 1 Pettee Card, Serial No. 3334, Shop No. 133; 1 Pettee Card, Serial No. 3411, Shop No. 118; 1 Pettee Card, Serial No. 4135, Shop No. 90; 1 Woosocket Slubber 10 x 5, Shop No. 11; 6 Delivery Saco-Petee Drawing, Serial No. 5593; 6 Delivery Saco-Petee Drawing, Serial No. 5594; 1 Compressor, Chicago 15 x 11, Serial No. 46477; 1 Bufling Machine - Armstrong, Serial No. E-374; 1 Winding Machine - Easton & Burnham; 1 Drill - Walker-Turner, Serial No. 1-944; 1 Fidelity Reel, Shop No. 1; 1 Fidelity Reel, Shop No. 2; 1 102 Foster Winder, Serial No. 1550K; Humidifying System.

All of the aforesaid real property will be first offered for sale separately as a whole, after which all of the aforesaid tangible personal property will be offered for sale separately as a whole, and after which all of the aforesaid real property and all of the aforesaid tangible personal property will be offered for sale as a whole. The sale of all of the aforesaid real and personal property will be made subject to confirmation by the Superior Court of Hoke County, North Carolina, and the Commissioner's report of the said sale will be filed in said court within five days after the date of the said sale, and after the Commissioner's report of the sale to the said court, the sale will remain open for ten days for upset bids as by law provided. This 7th day of September, 1949.

C. D. Taliaferro, Commissioner of the Superior Court of Hoke County, North Carolina.

15-18C

NOTICE TO CREDITORS

The undersigned, having qualified as executrix of the estate of Betsy L. Blue, deceased, late of Hoke County, N. C. this is to notify all persons having claims against said estate to exhibit them to the undersigned at her home on or before the 15th day of September, 1950, or this notice will be pleaded in bar of their recovery. All persons indebted to said estate will please make immediate payment.

This 15th day of September, 1949.

Ila J. Blue, executrix, 16-21P

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This 9th day of September, 1949.

Arthur D. Gore, executor.

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The foregoing and above described real estate will be sold subject to the following matters, exceptions, easements and outstanding rights, to-wit:

1. The first tract above described is situated on the North side of the Aberdeen and Rockfish Railroad, which Railroad acquired and now owns a right of way extending for 60 feet on each side from the center line of its track as granted to it by M. D. Bethune by deed recorded in Book U-5 of deeds at page 529 in the Office of the Register of Deeds for Cumberland County, North Carolina.

2. Such state of facts as a current accurate survey and inspection of the premises would disclose.

3. Easements granted to the Town of Raeford by Raeford Power and Manufacturing Company by deed recorded in Book 28 of Deeds at page 398 in the office of the Register of Deeds for Hoke County, North Carolina and which affects the first tract hereinbefore described.

4. The rights reserved by Raeford Power and Manufacturing Company in two deeds to Raeford Cotton Mills Company, which is recorded in Book 29 at page 523 in the office of the Register of Deeds for Hoke County, N. C. due upon the aforesaid real estate for the purpose of repairing any and all electrical appliances and equipment.

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straight chair, 1 Mahogany desk-typewriter, 1 Mahogany table, 1 Stenographer's chair, 1 Underwood typewriter, 1 Hat tree, 1 Metal shelf, 1 Shaw-Walker file safe cabinet No. 550240, 1 Table, 1 Metal Stenographer's chair, 1 Hat Tree, 1 Oak Stenographer's desk, 1 Underwood typewriter, 1 Oak Steno. chair, 1 straight chair, 1 straight cane bottom chair, 1 straight chair, 1 Sundstrand 10-key adding Machine, 1 Marchant calculator ACRM-123697, 1 Printing calculator, 1 Oak Table, 1 Check writer - Todd Protector-graph, 2 New 4 drawer filing cabinets - metal, 2 old 4 drawer filing cabinets - metal, 1 card metal box - small, 1 Executive's mahogany desk, 1 Executive's swivel chair, 1 Leather straight chair, 1 Straight chair, 1 pen set, 1 Straight chair, 1 Oak Steno. desk.

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C. D. Taliaferro, Commissioner of the Superior Court of Hoke County, North Carolina.

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Ila J. Blue, executrix, 16-21P

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Arthur D. Gore, executor.