

NORTH CAROLINA,
SWAIN COUNTY.

IN THE SUPERIOR COURT
OCTOBER TERM - 1931.

STATE OF NORTH CAROLINA,

Petitioner,

J U D G M E N T.

-vs-

T.I.HUGHES, et al.,

Respondents.

It appearing to the Court that the above entitled cause is a proceeding brought by the State of North Carolina, Petitioner, against T.I.Hughes and other persons, Respondents, for the purpose of condemning for National Park purposes certain lands situated in Swain County, North Carolina, which said proceeding is and has been pending before the Clerk of the Superior Court of said Court;

And it further appearing that, in said proceeding, the Heirs-at-Law of M.B.Enloe and the Heirs-at-Law of Polk Enloe were made, among others, parties respondents therein, and that the petition filed in said cause alleged that said Heirs-at-Law of M.B.Enloe and Polk Enloe were the owners of certain lands described in the petition as Tract No.57, which tract is also fully described by metes and bounds in said petition or in exhibits thereto;

And it further appearing that heretofore the Clerk of the Superior Court of Swain County duly appointed Commissioners for the purpose of appraising said lands and fixing the compensation which ought justly to be paid therefor by the State of North Carolina, and an appeal was made, as shown by the record, of said Tract No.57;

And it further appearing that the Heirs-at-Law of M.B.Enloe and Polk Enloe excepted to said award and appealed to the Superior Court of Swain County, and that at the September-October Special Term of the Superior Court of Swain County, 1931, said appeal came on for hearing before His Honor, Cameron MacRae, Judge Presiding, and a jury, and that an issue was submitted to the jury, as shown by the record, and the jury found the value of said Tract of land to be \$2,500.00;

And it further appearing that, at the last named term of the Superior Court of Swain County, a judgment was signed by Cameron MacRae, Judge Presiding, amending the former judgment of the Clerk of the Superior Court herein and fixing the award for said Tract No.57 at the said sum of \$2,500.00, but there is or may be some uncertainty, under the provisions of said judgment so entered, as to the persons to whom said \$2,500.00 shall be disbursed by the Clerk of the Superior Court, the same having now been paid into Court by the Petitioner:

IT IS NOW, BY CONSENT, ORDERED, ADJUDGED AND DECREED that the Heirs-at-Law of M.B. Enloe and the Heirs-at-Law of Polk Enloe were the owners, at the time of the institution of said proceeding in condemnation, of the lands covered and included in Tract No. 57, and are entitled to receive payment of the compensation so awarded therefor; and it is so further ordered that said Clerk is hereby authorized and directed to pay said sum of \$2,500.00 to the Heirs-at-Law of M.B.Enloe and Polk Enloe, as their respective interests may be made to appear, and that none of the other respondents named in said proceeding have any interest therein.

W.F.Harding
Judge Presiding.

BY CONSENT:

(Signed) Edwards & Leatherwood.

(Signed) A. Hall Johnson

(Signed) Zebulon Weaver
Attorney for Petitioner.

(Signed) Frye & Jones.
Attorneys for Respondents,

Heirs-at-law of M.B.Enloe and
Heirs-at-law of Polk Enloe.

North Carolina,
Swain County.

I, V.A.Browning, Clerk of the Superior Court of Swain County, North Carolina, do hereby certify that the foregoing is a true and perfect copy of the final judgment and decree in the above entitled Special Proceeding brought by the State of North Carolina, against T.I. Hughes et al, respondents, as the same appears on file and as recorded in Judgment Docket No.12, at page 126 in this office.

Witness my hand this 20th day of November, 1931.

V.A.Browning C.S.C.

Filed for registration at 2:00 P.M. November 20, 1931 and registered in the office of the Register of Deeds for Swain County, North Carolina, in Book 60 at page 127.

Frank Hyatt
Register of Deeds.

NORTH CAROLINA,
SWAIN COUNTY

IN THE SUPERIOR COURT
September-October Special
Term 1931.

STATE OF NORTH CAROLINA

-vs-

Judgment

J.G.Stikeleather, Nancy Wesver
Stikeleather, P.H.Branch, & wife
Florence R.Branch, W.M.Smathers
& wife, Lillian F.Smathers, J.G.
Adams & wife, Helen B. Adams, B.S.
Colburn & wife, Elizabeth G.Colburn,
W.P.Herbert & wife, Frances C.Herbert,
N.N.Beadles & wife, Mary Stikeleather
Beadles, J.B.Breeman & wife, Sarah Breeman,
Alvin S.Carter, Agent for J.B.Breeman &
wife, Joseph Kartus & wife, Molly Kartus,
The North State Corporation, Biltmore
Oteen Bank, Trustee, W.A.Rexford, and
all other persons heirs at law of C.H.
Rexford, deceased, Siler Meadows Mining
& Lumber Company, A.J.Franklin & wife,
Sallie Franklin, W.W.Jenkins & wife,
Palestine Jenkins, W.J.Jenkins,& wife,
Lonie Jenkins, James J.Shuler & wife,
Mary Shuler, heirs at law of J.D. & A.J.
Patterson, deceased, and others.

This cause coming on to be heard before His Honor, Cameron F.MacRae, Judge, and a jury at the September*October Special Term, 1931, of Swain County Superior Court upon the following issues, to-wit:

1. Were the respondents, A.J.Franklin and wife, Sallie Franklin W.W.Jenkins and wife, Palestine Jenkins, W.J.Jenkins and wife, Lonie Kenkins, James J.Shuler and wife, Mary Shuler at the date of the institution of the condemnation proceeding in this action, the owners of the land lying between the figures 6A, 7, 8, 9, 10, as laid down on the map of S.B.Smiley, Surveyor, under the order of the Court?
2. At the date of the institution of the condemnation proceeding in this action, were the respondents, A.J.Franklin and wife, Sallie Franklin, W.W.Jenkins and wife, Palestine Jenkins, W.J.Jenkins and wife, Lonie Jenkins, James J.Shuler and wife, Mary Shuler, the owners of so much of State Grant No. 164 as is embraced in the lines indicated by figures 1, 2, 3, 4, 5, 6, and 6A lying to the North of the line in red, 1 - 6A?