

DESCRIPTION OF THE BOUNDARY

OF THE

JAMES WILSON TRACT

(40)

SWAIN COUNTY, NORTH CAROLINA.

Lying on the East bank of the Ocona Lufly River and North of Beck Branch.

Beginning at Corner 1, which is corner 2 of the George Beck Tract (39), being a sycamore stump on bank of river at mouth of branch and running thence with the lines of the George Beck Tract (39), and the meanders of a branch.

N. 22-17 E. ✓

5.00 A Point.

N. 1-18 E. ✓

2.73 A Point.

N. 3-49 E. ✓

3.27 A Point.

N. 6-49 W. ✓

2.08 A Point.

N. 17-32 E. ✓

2.78 A Point.

N. 13-36 W. ✓

1.41 A Point.

N. 21-31 W. ✓

2.37 A Point.

N. 4-15 W. ✓

1.02 A Point.

N. 52-32 E. ✓

1.51 A Point.

N. 28-42 E. ✓

1.30 A Point.

N. 44-00 E.

- 0.72 A Point.  
N. 18-39 E.
- 0.88 A Point.  
N. 14-01 E.
- 1.98 A Point.  
N. 19-00 E.
- 1.33 A Point.  
N. 33-22 E.
- 1.97 A Point.  
N. 27-51 E.
- 1.20 Corner 2, a 4" poplar near head of branch.  
A 12" Black Oak bears N. 67-00 E. .25 chain distant.  
Thence, N. 32-51 E.
- 6.49 Corner 3, a hickory with marks on ridge.  
Thence, N. 47-41 E.
- 14.59 Corner 4, a White Oak in line of 1230A Survey (Indian Land),  
and corner 5 of the George Beck Tract 39.  
Thence, with the Indian Boundary line.  
S. 40-36 E.
- 11.28 Corner 5, a point in the center of Beck Branch, common  
corner with M. W. Beck. Thence down the meanders of Beck  
Branch and with the M. W. Beck lines.  
S. 48-07 W.
- 3.26 A Point.  
S. 56-23 W.
- 2.97 A Point.  
S. 24-34 W.
- 1.29 A Point.  
S. 58-57 W.
- 4.25 A Point.  
S 30-51 W
- 5.58 A Point.  
S. 43-37 E.
- 2.14 A Point.

S. 39-53 W. ✓

4.88 A Point.

S. 14-34 W. ✓

8.92 A Point.

S. 8-46 W. ✓

12.46 Corner 6, a point at the mouth of Beck Branch and the center of Oconna Lufty River, common corner with ~~George~~ Beck.  
M. W.

Thence, up the river.

N. 79-32 W. ✓

11.16 To the point of beginning, containing 53.61 acres.

Analysis of Title

Tract No. 40.

1. Henry J. Beck obtained title to the lands embraced within tract No. 40 as shown in the Abstract of title to tract No. 39, aforesaid, on pages 271 to 272 inclusive, except that such Abstract does not show the conveyances from the heir at law of John Beck to Henry J. Beck for the portion of tract No. 40 covered by grant No 1407. These conveyances are as follows:

(a) On April 23, 1864, Samuel Beck, et al, being heirs at law of John Beck, executed to Henry J. Beck a deed conveying all their interests as said heirs in the lands owned by the said John Beck at the time of his death. From the description given in said deed, John Beck owned all the lands embraced in grant No. 1407, which lie east of the Ocona Luffy River, except the northwest corner which he had previously deeded to Henry J. Beck and also a hundred acre tract which lies east of said grant No. 1407. This deed is duly executed and registered in Jackson County. Page 285 of Abstract.

(b) On March 19, 1866, John A. Hyde et al, heirs at law of John Beck executed a deed to Henry J. Beck for their interest in all the lands which John Beck possessed at the time of his death. This deed is properly executed and registered in Jackson County. Page 286 of Abstract.

(c) On August 4, 1866, James Farley et al, heirs at law of John Beck conveyed to Henry J. Beck all their interest in all the lands which John Beck owned at the time of his death, by deed duly executed and registered in Jackson County. Page 287 of Abstract.

(d) On or about September 13, 1869, Jacob Beck, conveyed to Henry J. Beck all his interest as an heir at law of John Beck in the lands of his father. This deed is duly executed and registered in Jackson County. Page 288 of Abstract.

The last four deeds cover a small part of tract No. 40 as well as a portion of tracts Nos. 41 and 46.

2. Thereafter on or about January 4, 1899, H. J. Beck executed his last Will and Testament, which was probated on July 26, 1900. By this Will he conveyed to the children of his third wife, Harriett, all his lands from the Big Branch up, which includes tract No. 40. The Will of the said H. J. Beck and the affidavits showing his several heirs at law are fully

set out on page 215 to 215-a inclusive of this Abstract.

3. On September 23, 1907, Thomas Beck, being one of the heirs of Harriett Beck conveyed his one-fourth interest in said lands to A. H. Huskey. Page 216 of Abstract.

4. On April 27, 1908, D.W. Beck as an heir at law of Harriett Beck, conveyed his one-fourth interest to H. K. Beck. Page 218 of Abstract.

5. On February 7, 1910, R. J. Roane, Sheriff, sold under and by virtue of an execution, all the interest of H. K. Beck in the lands so willed to H. K. Beck by H. J. Beck as aforesaid. Both the deed and the judgment and proceedings thereunder are fully set out on pages 219 to 222 of this Abstract.

6. On August 31, 1912, L.A.W. Maney conveyed all his interest in tract No. 40 to A. H. Huskey and wife, by deed duly executed and registered in Swain County. Page 289 of Abstract.

7. On January 15, 1921, A. H. Huskey and wife, conveyed to James Wilson and wife Lizzie a tract of land containing 50 acres, the same being tract No. 40, aforesaid. This deed is duly executed and registered in Swain County.

8. We do not find any mortgages, deeds of trust, judgments or other liens against tract No. 40, except taxes for the year 1928.

# ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Samuel Bick, Samuel Richardson & wife, Sarah Elizabeth Collins William Stillwell & John Bick deceased.	Heirs and legal representatives of John Bick deceased.	
Grantees	Henry J. Bick		

1. Kind of Conveyance. Deed
2. Date of Conveyance 4-23-1864
3. Is it properly executed.
4. Date of Entry and No.
5. Before what Officer acknowledged
6. Acknowledgments, regular
7. If irregular, copy in full on back.
8. Did all grantors acknowledge
9. Date of acknowledgment 5-18-1864
10. Was privy examination of wife taken
11. Did officer affix Seal
12. Was order of probate correct
13. Does conveyance contain covenants—
14. Date of filing for record 5-18-1864
15. Book 7 Page 104
- for Jackson County.
16. Does deed contain any special limitations, provisions or restrictions
17. Habendum clause (Quote fully)

## Exact Description of Property

The lands owned by the said John Bick, at the time of his death, situated in the said County of Jackson on the East side of Osanaduffy river occupied by — Bick Sen and now occupied by Henry J. Bick, bounded as follows bounded North by lands owned by said Henry J. Bick, West by Osanaduffy river, South by Joel Connor and East by Browne Speculation land now owned by William B. Thayer including in the lands conveyed 140 acres to the same more or less.

# ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantees	Jno. A. Hyde, Jason S. Hyde, David S. Hyde, Wm J. Hyde	William Maynor & Mary J. Maynor, Humphrey Posey Hyde	
Grantees	Henry Jackson Beck		

- Kind of Conveyance *Special Warranty deed*
- Date of Conveyance *3-19-66*
- Is it properly executed *yes*
- Date of Entry and No. *Private Judge*
- Before what Officer acknowledged *Private Judge*
- Acknowledgments, regular *yes*
- Did all grantors acknowledge *yes*
- Did all grantors acknowledge *yes*
- Was privy examination of wife taken *no*
- Was order of probate correct *yes*
- Date of filing for record *not given*
- Book *523* Page *523*
- for *Jackson* County.
- Does deed contain any special limitations, provisions or restrictions *none*
- Habendum clause (Quote fully) *none*

## Exact Description of Property

"That the said parties of the first part being the heirs and legal representatives of Mary Hyde, dec'd wife of Jno. Hyde of Cherokee County NC., her being the legal heirs of Beck, dec'd. of Jackson County NC, etc"

"All our interest being undivided in the land owned by the said Jno Beck, Senr at the time of his death situated in the sd County - Jackson on - E side of Oconaluftee River occupied by Jno Beck Senr. & now occupied by the said Henry J. Beck, bounded as follows:

Bounded North by - lands owned by the sd Henry J. Beck, West by Oconaluftee River, South by lands owned by Joel S. Connor, East by the Brown Speculation lands, now owned by Wm H. Thomas, including in the said lands conveyed 140 acres, be the same more or less."

# ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	James Farley & wife Gugabo Farley, and Mary J. Hall		
Grantees	Henry J. Beck		

- Kind of Conveyance Specie Warranty
- Date of Conveyance 8-4-66
- Is it properly executed yes
- Date of Entry and No. yes
- Before what Officer acknowledged Probate Judge
- Acknowledgments, regular yes
- If irregular, copy in full on back no
- Did all grantors acknowledge personally before
- Date of acknowledgment 9-13-69
- Was privy examination of wife taken yes
- Did officer affix Seal yes
- Was order of probate correct yes
- Date of filing for record not given
- Book 4 Page 574
- for Jackson County.
- Does deed contain any special limitations, provisions or restrictions no
- Habendum clause (Quote fully) None

## Exact Description of Property

That the forty of the first lot being the heirs and legal representatives of Eliza Hall dec'd, wife of Jimison Hall, of the County of Jackson NC, her being the legal heir of Mrs. Hyde dec'd, wife of Jno Hyde, of Cherokee County NC, her being the legal heir of Jno Beck, dec'd of Jackson Co. NC.

"All our interest being undivided in the land owned by the said John Beck Senr. at the time of his death situated in the said County of Jackson on the East side of Oconalufita River occupied by John Beck Senr. and now occupied by the said Henry J. Beck, bounded as follows:

Bounded North by the lands owned by the said Henry J. Beck, West by Oconalufita River, South by lands owned by Joel S. Conner, East by the Brown Speculation lands, now owned by William H. Thomas, including in the said lands conveyed 140 acres, be the same more or less.

# ABSTRACT OF DEEDS OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	Joseph Beck		
Grantees	Henry J Beck		

- Kind of Conveyance *Special Warranty Deed*
- Date of Conveyance *not given*
- Is it properly executed *Yes*
- Date of Entry and No. *not given*
- Before what Officer acknowledged *Notary Public*
- Acknowledgments, regular *Yes*
- Did all grantors acknowledge *Yes*
- Date of acknowledgment *9-13-69*
- Was privy examination of wife taken *Yes*
- Did officer affix Seal *Yes*
- Was order of probate correct *Yes*
- Does conveyance contain covenants—
- Date of filing for record *not given*
- (a) of seizin *Only as against*
- Book *4* Page *573*
- (b) power to convey *Special clause*
- for *Jackson* County.
- (c) against encumbrances *under grantors*
- Does deed contain any special limitations, provisions or restrictions *Yes*
- (d) against claims of all others *There have been crossing*
- Habendum clause (Quote fully) *none*

## Exact Description of Property

"That the said party of the first part being the heir and legal representative of Jno Beck. Decd, of Jackson Co. Mo." etc

→ East side of Comalufia River occupied by John Beck Sr. and now occupied by *my interest being owned* the said Henry J. Beck, bounded as follows:  
 by the said Jno Beck Sr. at the time of his death  
 Bounded North by the lands owned by the said Henry J. Beck, West by *the*  
*situated in the said County of Jackson*  
 Comalufia River, South by lands owned by Joel S. Connor, East by the Brown  
 speculation lands, now owned by William H. Thomas, including in the said  
 lands conveyed 140 acres, be the same more or less.

# ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantees	Geo. Beck & wife Cordie J.A.W. Maney & wife Sallie	Geo. Beck & Cordie J.A.W. Maney & Sallie	Geo. Beck & wife Cordie J.A.W. Maney & wife Sallie
Grantees	A.H. Huskey & wife Rachel Huskey		

1. Kind of Conveyance. Warranty Deed
3. Is it properly executed. yes
5. Before what Officer acknowledged. JP
7. If irregular, copy in full on back. 8-31-12
9. Date of acknowledgment. 8-31-12
11. Did officer affix Seal. yes
13. Does conveyance contain covenants—
  - (a) of seizin yes
  - (b) power to convey. yes
  - (c) against encumbrances. yes
  - (d) against claims of all others. yes
2. Date of Conveyance. 8/31/12
4. Date of Entry and No. yes
6. Acknowledgments, regular yes
8. Did all grantors acknowledge. yes
10. Was privy examination of wife taken. yes
12. Was order of probate correct. yes
14. Date of filing for record. 9/2/12
15. Book 39 Page 19  
for Quinn County.
16. Does deed contain any special limitations, provisions or restrictions. no

17. Habendum clause (Quote fully) I have to hold the above land & parcel of land & all priv. & app. thereto belong to the said Geo. Beck & wife Rachel Huskey and their heirs and assigns to their only use & behoof forever.

## Exact Description of Property

A certain tract or parcel of land in Swain County, State of North Carolina adjoining the lands of George Beck and Jake Beck being a part of the Jackson Beck Tract and bounded as follows. Beginning at the mouth of the Big Beck Branch and up the river as it meanders 42 P. to George Beck's beginning corner then N 20 E 19 poles to a stake, then N 3 E 36 poles to a stake in a branch then up and with said branch 64 poles to a poplar near the head of the branch 200 N 33 E 41 p. to a hickory on top of a ridge then North 45 E 60 p. to a white oak then North 30 E 28 p. to the Beck line then with the Beck line to the Big Beck Branch then down with the branch as it meanders to the beginning containing sixty two Acres more or less.

# ABSTRACT OF DEED OR GRANT

	In Preamble	As Signed	As Acknowledged
Grantors	A. H. Huskey of Rachel Huskey	so	di
Grantees	James Wilson of Lizzie Wilson		

1. Kind of Conveyance Warranty Deed
3. Is it properly executed yes
5. Before what Officer acknowledged yes
7. If irregular, copy in full on back
9. Date of acknowledgment 1-18-21
11. Did officer affix Seal yes
13. Does conveyance contain covenants—
  - (a) of seizin yes
  - (b) power to convey yes
  - (c) against encumbrances yes
  - (d) against claims of all others yes
2. Date of Conveyance 1-15-21
4. Date of Entry and No.
6. Acknowledgments, regular yes
8. Did all grantors acknowledge yes
10. Was privy examination of wife taken yes
12. Was order of probate correct yes
14. Date of filing for record 1-19-21
15. Book 55 Page 163 ✓  
for Swain County.
16. Does deed contain any special limitations, provisions or restrictions no

17. Habendum clause (Quote fully) I have and to have the above and undivided  
part of land and are first & app. third heirs and  
assigns, to this land and all heirs forever.

## Exact Description of Property

A certain tract or parcel of land in Swain County, State of North Carolina, adjoining the lands of J. H. Beck, George Beck and others, and bounded as follows, viz:

Beginning at the mouth of the Big Beck branch, then up and with the river as it meanders 42 poles to George Becks beginning corner, a sycamore stump, then North 20 East 19 poles to a stake; then N. 3 E. 36 poles to a stake in a branch, then up and with said branch 64 poles to a poplar stump and sourwood pointers near the head of the branch, then N. 33 E. 41 poles to a hickory on the top of the ridge; then N. 45 E. 60 poles to a white oak, near the Indian Boundary line; then Eastward with the Indian Boundary line to the Big Beck branch; then down said branch as it meanders to the beginning, containing 50 acres more or less.

# TAXES

(Fill in all blanks indicating year, and show on lines opposite the year whether or not the taxes have been paid. If paid an affirmative showing must be made by use of the word "Paid." The use of ditto marks is not permissible).

The property in question is assessed for taxation for the current year, 1928..., at \$2000..., in the name James Wilson...and the taxes for the past ten years have been paid or not paid as follows:

19 <u>19</u> ..	<u>Paid</u> .....
19 <u>20</u> ..	<u>Paid</u> .....
19 <u>21</u> ..	<u>Paid</u> .....
19 <u>22</u> ..	<u>Paid</u> .....
19 <u>23</u> ..	<u>Paid</u> .....

19 <u>24</u> ..	<u>Paid</u> .....
19 <u>25</u> ..	<u>Paid</u> .....
19 <u>26</u> ..	<u>Paid</u> .....
19 <u>27</u> ..	<u>Paid</u> .....
19 <u>28</u> ..	<u>Unpaid amount \$ 44.29</u> .....

# ASSESSMENTS

JACKSON BECK LAND.

DEED.

L.A.W. MANEY & WIFE  
GEO. BECK & WIFE

Date

Aug. 31, 1912.

Reg.

Book 39 p. 19.

TO

Swain County.

A2H2 HUSKEY & WIFE.

62 Acres

DESCRIPTION.

BEGINING at the mouth of the Big Beck Branch and runs up the river, as it meanders, 42 poles to Geo. Beck's beginning corner; then N. 20 E. 19 poles to a Stake; then N. 03 E. 36 poles to a Stake, in a branch; then up and with said branch, 64 poles to a Poplar, near the head of the branch; then N. 33 E. 41 poles to a Hickory, on top of a ridge; then N. 45 E. 60 poles to a White Oak; then N. 30 E. 28 poles to the Beck line; then with the Beck line to the Big Beck Branch; then down with the branch, as it meanders to the beginning.

NOW JAMES WILSON LAND.