

NORTH CAROLINA PARK COMMISSION

ASHEVILLE, N. C.

REPORT ON REBECCA SWAIN TRACT NO. 150-----3.25 ACRES

Location: This tract is located on Deep Creek and adjoins the A. T. Lollis Tract. It is about two miles from Bryson City.

Description: A small home tract occupied by the owner. Land takes in both sides of Deep Creek.

Improvements: A three room box house, shed, chicken house and old grist mill, all in not very good condition.

Valuation:

House	\$300.00
Shed and chicken house	50.00
Mill	50.00
Land	100.00
	<u>\$500.00</u>

An option has been taken for \$500.00.

Analysis of Title

Tract 150.

Mrs. A. S. Swain

This tract is covered by the following grants:

Grant No. 630

" " 3256

Section No. 7

and possibly a very small part may be included in the northwestern corner of Grant 123.

1. The title to Tract 150, except as to one-eighth of an acre on the south end of the tract is identical with the title to Tract 146-a down to and including deed to A. T. Lollis and it will not be necessary to set out that portion of the title at this place. Reference is made to the Abstract of Tract 146-a for title under grants 3256 630 and Section No. 7 for which no grant has yet been found.

2. A. T. Lollis and wife, Josie Lollis then conveyed to A. S. Swain by deed dated April 19, 1913, a tract of two acres being a part of Tract 146-a. This deed is registered in Swain County. Page 534 of this Abstract.

3. By a further deed dated March 4, 1921, A. T. Lollis and wife conveyed to A. S. Swain another tract containing one acre and being a part of tract 146-a. This deed is recorded in Swain County. Page 535 of this Abstract.

ONE-EIGHTH ACRE TRACT

4. This tract is included within Section No. 7, title to which became vested in James H. Wiggins as will appear from the Abstract of Tract 146-a.

5. On October 2, 1872, James H. Wiggins executed a deed, the grantees being the "legal heirs and representatives of John Shuler, Deceased". This deed is for a tract of fifty acres covering Section No. 7. This deed recites that James H. Wiggins had heretofore executed a bond for title for the lands conveyed to John Shuler and that said Shuler had died before taking title for the lands but after the payment of the purchase money and that the bond for title after diligent search could not be found and that this deed was made for the purpose of carrying out the obligation of the grantor for said bond for title. The deed does not undertake to

name the heirs at law of John Shuler to whom the deed is made but reference to them collectively. This deed is recorded in Swain County. Page 536 of this Abstract.

6. The next conveyance is from John E. Shuler and wife, Mahala A. Shuler to D. K. Collins and is dated May 1, 1897; the second tract conveyed by said deed being for the fifty acres described in the above deed and including the one-eighth acre under investigation. This deed does not so state but doubtless John E. Shuler was the son and heir of John Shuler mentioned in the foregoing paragraphs. This deed is recorded in Swain County. Page 537 of this Abstract.

7. D. K. Collins and wife, E. H. Collins, by deed dated September 15, 1910 then conveyed this tract of fifty acres to J. E. Marr. This deed is recorded in Swain County. Page 538 of Abstract.

8. J. E. Marr and wife, by deed dated October 10, 1916, conveyed the same fifty acre tract to D. DeHart, J. R. Crisp and T. C. Queen, Commissioners of Swain County. This tract is a part of the present county home. This deed is recorded in Swain County. Page 539 of this Abstract.

9. C. H. Meadows, T. C. Queen and W. H. Patterson, Commissioners of Swain County by deed dated September 4, 1920, then conveyed out of the fifty acre tract above mentioned to A. S. Swain the small tract of one-eighth of an acre, being a part of Tract 150. This deed is recorded in Swain County. Page 540 of Abstract.

10. A. S. Swain died and the title became and is now vested in his widow and heirs at law, whose names so far as we have been able to obtain them are set out in the affidavit of R. Swain, page 541 of this Abstract.

NORTH CAROLINA

SWAIN COUNTY

IN RE: TRACT NO. 150.

Rebecca Swain being first duly sworn deposes and says that she is the widow of A. S. Swain late of Swain County, North Carolina; that the said A. S. Swain is now dead and that he had only one brother and no sisters; that the brother, Columbus Swain, is now dead and he left surviving him the following named children:

Carlos Swain
Lawrence Swain
Robert Swain
Ben Swain

This deponent further states that the said A. S. Swain died without any direct heirs, that he never had any children and further this deponent saith not.

signed

R. Swain
Affiant.

Sworn to and subscribed before me, this the 27th day of July, 1929.

copy

Willie Higgins
Notary Public