

The State of South Carolina,

Whereas, on the Eighteenth day of May A.D. 1874 Emma M. Westfield and Whitner Symmes, Plaintiffs, exhibited their Complaint for Relief, &c., in the Court of Common Pleas, for the County of Greenville and State aforesaid, against Thomas M. Cox, Thomas C. Gower, William Birnie and others, Defendants, wherein amongst other things it was alledged that one John Westfield, now deceased, on the - - - - - day of - - - - - A.D. 1873, sold and conveyed to the Plaintiff, Whitner-Symmes and Thomas M. Cox and Thomas C. Gower, the Defendants, and to one James Birnie, also now deceased, an undivided four (4-5) fifth's interest in and to certain Real Estate, in and around the City of Greenville, in the County and State aforesaid, and more particularly described in the Deed of Conveyance of that date; and on the 30th day of September, A.D. 1873, the said John-Westfield, agreed to sell to the firm of Cox, Birnie & Co., (which was composed of himself, and other parties last above named,) certain other lots, pieces or parcels of land in and near the said City of Greenville, and County and State aforesaid, and were particularly described in said agreement; and that the said parties who were interested in the lands above mentioned, in order to facilitate the sale and transfer of said lands, had agreed to and amongst themselves, to convey all of the said lands in trust, to two of their number to sell and divide the proceeds of sale amongst the parties, according to their respective interests; and prayed amongst other things that these matters might be inquired into, and if found advisable to carry out the said agreement in reference to a Trust Deed, that a suitable Trust Deed be reported, together with some suitable person or persons to act as Trustee or Trustees; and, whereas, upon the said cause being heard, on the 17th day of June, A.D. 1874, it was referred to Special Referee, to report on the various matters embraced in the pleadings in said cause, and upon the report of said Special Referee coming in, containing the various recommendations therein more fully set forth, it was on the 7th day of August A.D. 1874, amongst other things, ordered that Whitner Symmes and Thomas C. Gower, be appointed Trustees, to whom William A. McDaniel, Clerk of the said Court, should convey the said lands, to Have and to Hold the same, to, for and upon the purposes, uses and trusts, as set forth and declared in the Deeds reported by the said Referee; and whereas, the said William A. McDaniel, Clerk as aforesaid, did convey the lands mentioned in the pleadings to the said Trustees:

Now, Therefore, Know All Men By These Presents, That we, Thomas C. Gower and Whitner Symmes, Trustees as aforesaid, by virtue of the power conferred upon us, in and by the order and Trust Deed aforesaid, upon the written request of the cestuis que trust hereon endorsed, and in performance of our duty as such Trustees and also in consideration of the sum of Four Hundred Dollars, to us paid by The Greenville Building and Loan Association before the delivery of these presents, have granted, bargained, sold and released, and by these presents, do grant, bargain, sell and release unto the said, Greenville Building and Loan Association all that piece, parcel or lot of land- being parcels of the land above mentioned- situate and lying in the City and County of Greenville and State aforesaid, Commencing at a stake corner of land of Thos. M. Cox, Whitner-Symmes, Thos. C. Gower and others and Birnie Street running thence with said Street N. $61\frac{1}{2}$ W. four hundred and three feet and eight inches to a stake on Street, thence along Street S. $28\frac{1}{2}$ W. four hundred and thirty-five feet to stake on Gower Street, thence with said Street S. $61\frac{1}{2}$ E. Two hundred and forty three feet to a stake; thence N. $70\frac{1}{2}$ E. ninety feet to stake, thence N. $28\frac{1}{2}$ E. three hundred and seventy six feet to the beginning corner on Birnie Street, containing Three acres, more or less.

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