

THE STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

IN COMMON PLEAS.

Anne M. Moore, Plaintiff,

against

TESTIMONY

Otis P. Mills and Henry J.
Winn as, formerly, Executors
of the estate of Susan C.
Mills, deceased,

Defendants.

Henry J. Winn being duly sworn says: that by the last Will and Testament of Susan C. Mills, dated the 5th day of October, 1927, he and Otis P. Mills were appointed executors of her Estate; that while she added two codicils to her Will, the appointment of executors was not revoked. That said Mrs. Mills died on the 4th day of July, 1936, and her said Will and codicils were duly probated as required by law; that he and Otis P. Mills, the other executor, in due time, qualified as such, entered upon the duties of that office and after full administration of said Estate, were lawfully discharged. That while in discharge of such duties and the Plaintiff, Ann M. Moore, having in accordance with the second codicil, selected the five (5) acres described in the Complaint, he and the other Executor, as Executors, did on the 23rd day of February, 1938, execute and deliver to the said Ann M. Moore a good, sufficient and lawful deed and thereby conveyed to her, her heirs and assigns, said described five (5) acres in fee simple and free from encumbrances. Said Will as filed in Apartment 113 File 5 A and B in Probate Court made a part hereof.

Henry J. Winn

Otis P. Mills being duly sworn, says that he has heard the testimony of Henry J. Winn and fully corroborates the same.

Otis P. Mills

James P. Moore being sworn, says:

That he and Otis P. Moore are the sons of the Plaintiff, Anne M. Moore; that for years they have attended to the business of their mother. The the said deed thereto, after dilligent search, cannot be found. That it has not been recorded but possession and ownership of said five acres have been vested in their said mother and it is their information and belief that she, her heirs and assigns, have good, fee simple title thereto. Said land nor any part of it, has been encumbered or conveyed.

James P. Moore

Otis P. Moore being sworn, says: that he has heard the testimony of his brother James P. Moore and fully corroborates the same.

Otis P. Moore