

amongst other things it was alleged that one John Westfield now deceased on the day of A.D. 1878 sold and conveyed to the Plaintiff Whitmer Symmes and Thomas Mc Coy & Thomas C. Garner the Defendant and to one James Bernie also now deceased and undivided joint & several fifth 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 30 day of September A.D. 1873 the said John Westfield agreed to sell to the firm of Cox Bernie & Co. which was composed of himself and other parties above named certain other lot or pieces or parcels of Land in and near the said City of Greenville & County and State aforesaid 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 & divide the proceeds of sale amongst the parties according to their respective interest and prayed amongst other things that their 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 persons 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 a Special Referee to report on the various matters embraced in the pleadings in said cause and upon the report of said Special Referee containing therein more fully set forth it was on the 7th day of August A.D. 1874 amongst other things ordered that Whitmer Symmes and Thomas C. Garner be appointed Trustees to whom William A. McQuinn Clerk of the said Court should convey the said lands to have & 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. McQuinn 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. Garner

and Whitmer Symmes Trustees as aforesaid by virtue of the power conferred upon us in and by the order and trust aforesaid upon the ~~trust~~ written request of the parties who trust herein endorsed and in performance of our duties as such trustees and also in consideration of the sum of Eight Hundred & twenty five Dollars to us paid by J. H. Dean before the delivery of these presents to have created bargained sold and released and by these presents do Grant bargain sell & release unto the said J. H. Dean all that piece or parcel or lot of Land being parcels of the Lands above mentioned situated and lying in the City and County of Greenville and State aforesaid on the South side of Washington Street at the corner of said Street and a new cross Street thence S 26 1/2 W Two Hundred and seventeen and one half feet to a stake on Westfield line thence along said line S 5 7/8 E One Hundred and sixty five feet to a stake thence along said line S 66 1/2 E thirty five feet to a stake thence S. E. Two Hundred and seventeen and one half feet to a stake on Washington Street thence along said Street Two Hundred feet to the Beginning corner also that other piece or lot of Land situated in the same City County and State on the same side of the said Washington Street at a stone corner on Washington Street and Westfield land thence along said Street N 66 1/2 W seventy five feet to a stake thence S 23 1/2 W Two Hundred and seventeen and a half feet to a stake on Westfield line thence S 66 1/2 E seventy five feet to a stone corner at Westfield land thence S 23 1/2 E two Hundred and seventeen and a half feet to the Beginning See James D. Dickson general plat of 7th February 1873. Together with all and singular the rights privileges hereditaments & appurtenances to the said premises belonging or in any wise incident or appertaining. Do have and to hold all and singular the premises before mentioned unto the said J. H. Dean his heirs and assigns forever freed and discharged of all further trust whatsoever And will do hereby bind ourselves our heirs executors and administrators to warrant and forever defend all said singular the said premises unto the said J. H. Dean his heirs and assigns against us and our heirs & every other person whomsoever Lawfully claiming or to claim the same or any part thereof.