

the plaintiff, William Symmes and Thomas M. Cox and Thomas C. Gower the defendants, and to one James Birnie, also now deceased, an undivided four (4-5) fifths 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 20<sup>th</sup> 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 was 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 17<sup>th</sup> 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 coming in, containing the various recommendations therein more fully set forth, it was on the 7<sup>th</sup> day of August A.D. 1874 amongst other things, ordered that Whitner Symmes and Thomas C. Gower, be appointed trustees, to whom William A. M. Daniel, 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. M. Daniel, 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 certain que. trust hereon endorsed, and in performance of our duty as such trustees and also in consideration of the sum of Seventy six Dollars, to us paid by Isaac M. Bryan of the City of Greenville State aforesaid, before the delivery of these presents, had granted bargained sold and released, and by these presents do grant bargain sell and release unto the said Isaac M. Bryan all that piece parcel or lot of land being parcels of the lands above mentioned - situate and lying within the corporate limits of the City of Greenville near the Air Line R.R. Depot being

Lot No 23, as shown by a plat made by J. N. Dickson, d. s. and having the following courses and boundaries - commencing on a stake corner lot No 24 on Mulberry Street, thence N. 34 1/4 W. 104 feet to a stake thence S 86 1/4 W. 100 feet to a stake - thence S 3 1/2 E. 104 ft. to a stake on Mulberry Street - thence with said Street N 56 1/4 E. 100 feet to the beginning corner - containing thirty eight perches be the same more or less. Reference is hereby made to said Plat - of date July 3<sup>d</sup> 1878 together with all and singular the rights, members, hereditaments and appurtenances, to the said premises belonging, or in anywise incident or appertaining, to have and to hold all and singular the premises before mentioned, unto the said Isaac M. Bryan his heirs and assigns, forever freed from and discharged of all further trusts whatsoever. And we do hereby bind ourselves, our heirs, executors and administrators, to warrant and for ever defend, all and singular the said premises unto the said Isaac M. Bryan his heirs and assigns against us, and our heirs and every other person, whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through and under us, as trustees aforesaid, Witness our hands and seals, this nineteenth day of June in the year of our Lord One thousand eight hundred and seventy nine and in the 103<sup>rd</sup> year of the Independence of the United States of America, Signed sealed and delivered, }  
 in the presence of }  
 G. W. Tinsley }  
 A. M. Howell }  
 State of South Carolina } Personally appeared before me G. W.  
 Greenville County } Tinsley and made oath that he saw Whit-  
 ner Symmes and Thomas C. Gower sign seal and deliver the above  
 conveyance, for the uses and purposes therein mentioned, and that  
 he with A. M. Howell in the presence of each other, witnessed the  
 due execution thereof.  
 Suborn to before me this 23 day of June A.D. 1879  
 Edw. Corff } G. W. Tinsley  
 Jmal Justice }  
 State of South Carolina } To Messrs Thomas C. Gower and Whi-  
 County of Greenville } ner Symmes, Trustees: You are  
 hereby requested, to sell at public auction, on Saturday, the 6<sup>th</sup>  
 day of July A.D. 1878 all that piece parcel, or lot of land lying,  
 being and situate in the City of Greenville and County and State  
 aforesaid, after first sub-dividing the same into suitable lots, and  
 lots of advantageous size, upon the following terms, to wit: one  
 third of the purchase money to be paid in cash, the remaining  
 two thirds on a credit of one and two years; the credit portion  
 to be secured by bond of the purchaser and a mortgage of the  
 property. The following is a description of the property we  
 request to be sold as aforesaid, that piece, parcel or tract of  
 land lying on the East side of the Atlanta & Charlotte Air L  
 Ry, adjoining the Railroad purchase lots of Williams